

Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Birch Rentals Ltd

Applicant's Address: The Old Creamery Building,

Drombanna

Co. Limerick

Telephone No.



Name of Agent (if any): Brock McClure

Address: 63 York Road, Dun Laoghaire, A96 T0H4

Telephone No. 01 559 3859

Address for Correspondence:

63 York Road, Dun Laoghaire, A96 T0H4

Location of Proposed development (Please include **EIRCODE**):

Hanratty House,

5 Glentworth Street,

Limerick, V94 XF38

Description of Proposed development:

That the temporary change of use from hotel to International Protection

Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended)

Section of Exempted Development Regulations and/or section of the Act under which exemption is claimed:

Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001

(as amended)

Is this a Protected Structure or within the curtilage of a Protected Structure.

~~YES~~/NO

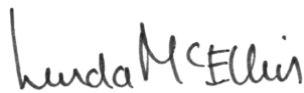
Applicant's interest in site: owner

List of plans, drawings, etc. submitted with this application:

Site Location Map, Site Layout Plan, Existing Floor Plans, Existing Elevations /
Sections prepared by Michael Conroy.

Have any previous extensions/structures been erected at this location ~~YES~~/NO

If Yes please provide floor areas of all existing structures:

| 

Signature of Applicant (or Agent)

Linda McEllin

MRUP MIPI

linda@brockmcclure.ie



Ph: 087 6301678

NOTES: Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

**Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67**

**Enquiries:
Telephone: 061-556556
E-Mail: planning@limerick.ie**

Limerick City and County Council
Planning Department,
Dooradoyle,
Limerick,
V94 XF67

22 July 2026

**Section 5 Declaration Application
Hanratty House, 5 Glentworth Street, Limerick, V94 XF38**

Dear Sir/Madam,

We, **Brock McClure, Planning & Development Consultants**, 63 York Road, Dun Laoghaire, Co. Dublin, have been instructed by our client, **Birch Rentals Ltd, The Old Creamery Building, Drombanna, Co. Limerick** to lodge this Section 5 Declaration application to Limerick City and County Council as per the provision of Section 5 (2) (a) of the *Planning & Development Act, 2000 (as amended)*.

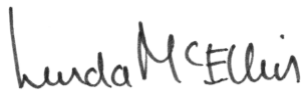
A declaration is sought as to **“Whether the proposed temporary change of use from hotel to International Protection Accommodation is or is not exempted development”**

We have enclosed a digital copy of each of the following details to assist the Planning Authority in forming their decision:

- Completed Section 5 Application Form
- Section 5 Declaration Planning Statement prepared by Brock McClure Planning & Development Consultants
- The prescribed fee of €80.00 paid by phone 22 July 2026 (Receipt enclosed)
- Site Location Map prepared by Michael Conroy Architects
- Site Layout Plan prepared by Michael Conroy Architects
- Existing Floor Plans prepared by Michael Conroy Architects
- Existing Elevations prepared by Michael Conroy Architects

We confirm that we act for **Birch Rentals Ltd**, and request that all future correspondence in relation to this matter be directed to this office. We trust that you will find everything in order.

If you have any queries, please contact this office at the address or number below.

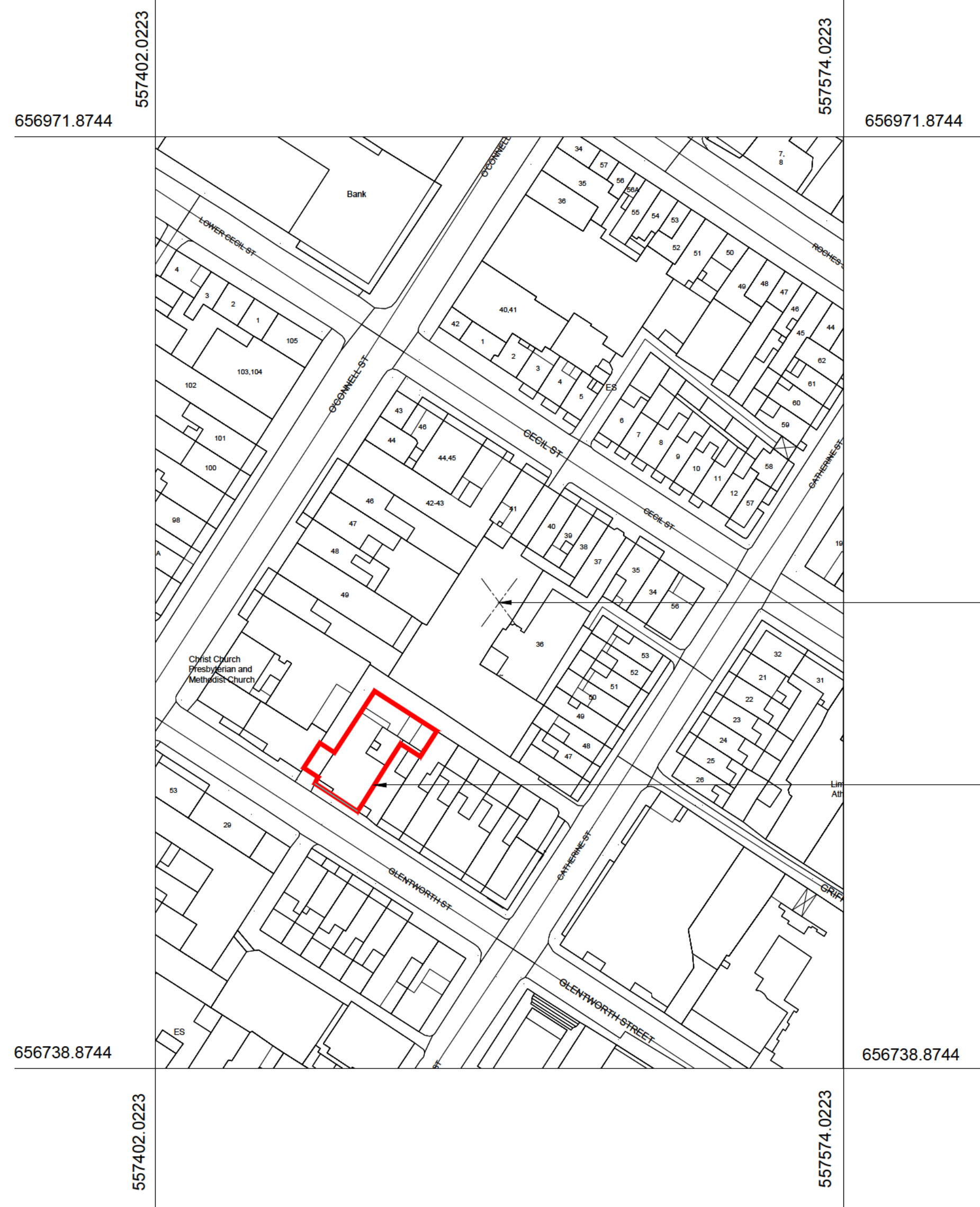


Linda McEllin
MRUP MIPI
linda@brockmcclure.ie



Ph: 087 6301678





Printed from Limerick City Ordnance Survey Sheets 4743-02 & 4743-03

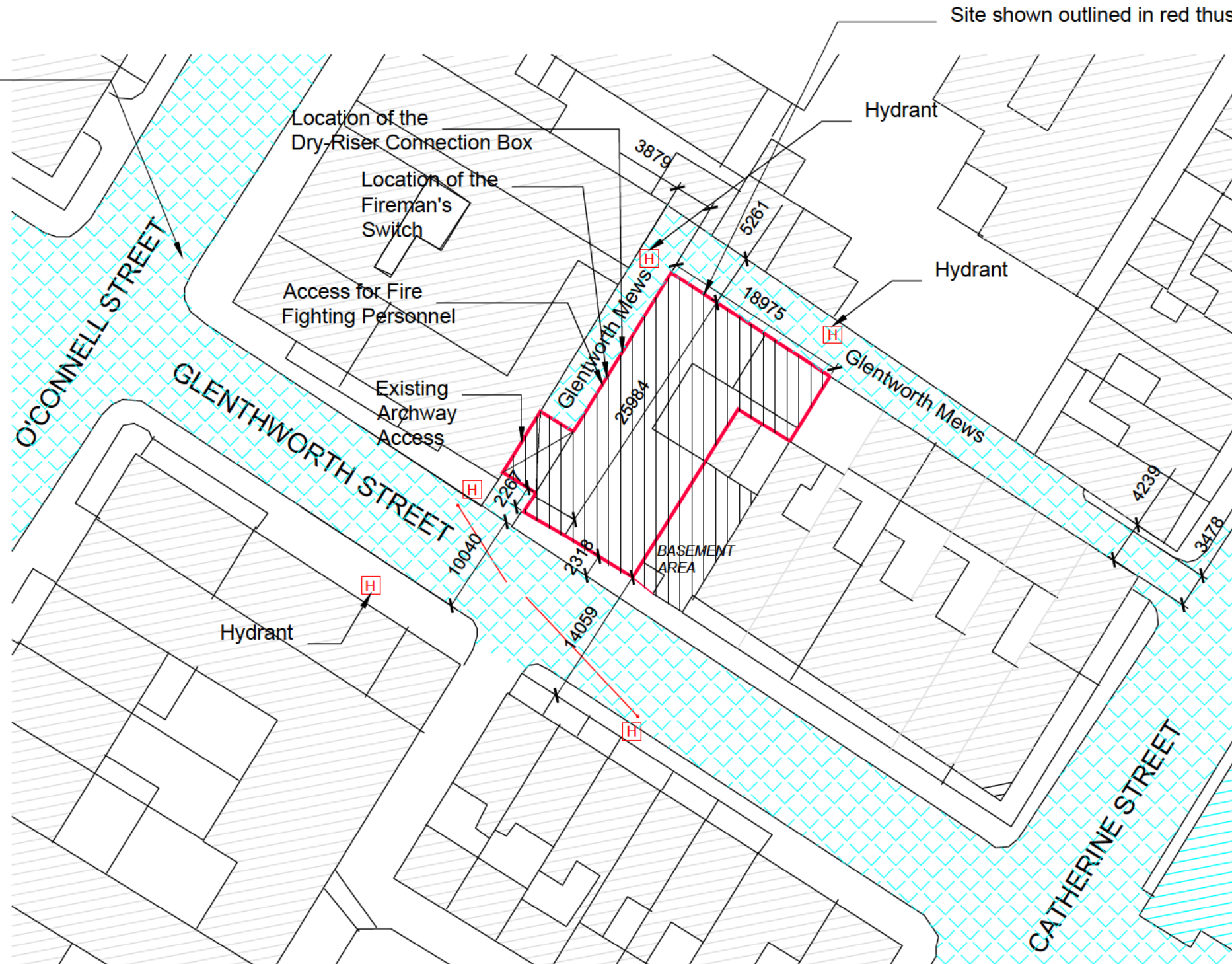
Printed from Ordnance Survey Digital Planning Pack Purchase Reference No. : 50374299

ITM Center Point = X,Y= 557488.0223,656855.3744

[illegible]

 MICHAEL CONROY ARCHITECTS			
73 O'Connell Street, Limerick. Tel: 087-2368377 email: michaelconroyarchitects@gmail.com			
Project Title: Application for Hanratty's Direct Provision Centre, Glentworth Street, Limerick.			
Client: Birch Rentals Ltd.			
Drawing Title: Site Location Map			
Project No.:	19109	Drawing No.:	FC-00
		Rev.	
Drawn:	Scale:	Checked:	Date:
M.C.	1:1000	M.C.	03-07-2026

Fire Tender Route
hatched in blue thus



Existing Site Layout Plan
Scale 1:500



- NOTES:
1. All works to comply with the Building Regulations current at the date of commencement of the works.
 2. No dimensions to be scaled from the drawing. Use figured dimensions only.
 3. Any discrepancies in dimensions to be notified to the Architect prior to executing the works.
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C	Notes added and Hydrants added	07-02-2019	M.C
B	Notes added	19-12-2019	M.C
A	Title Amended and notes added	24-09-2019	M.C
Rev.	Description:	Date:	By:

MICHAEL CONROY ARCHITECTS

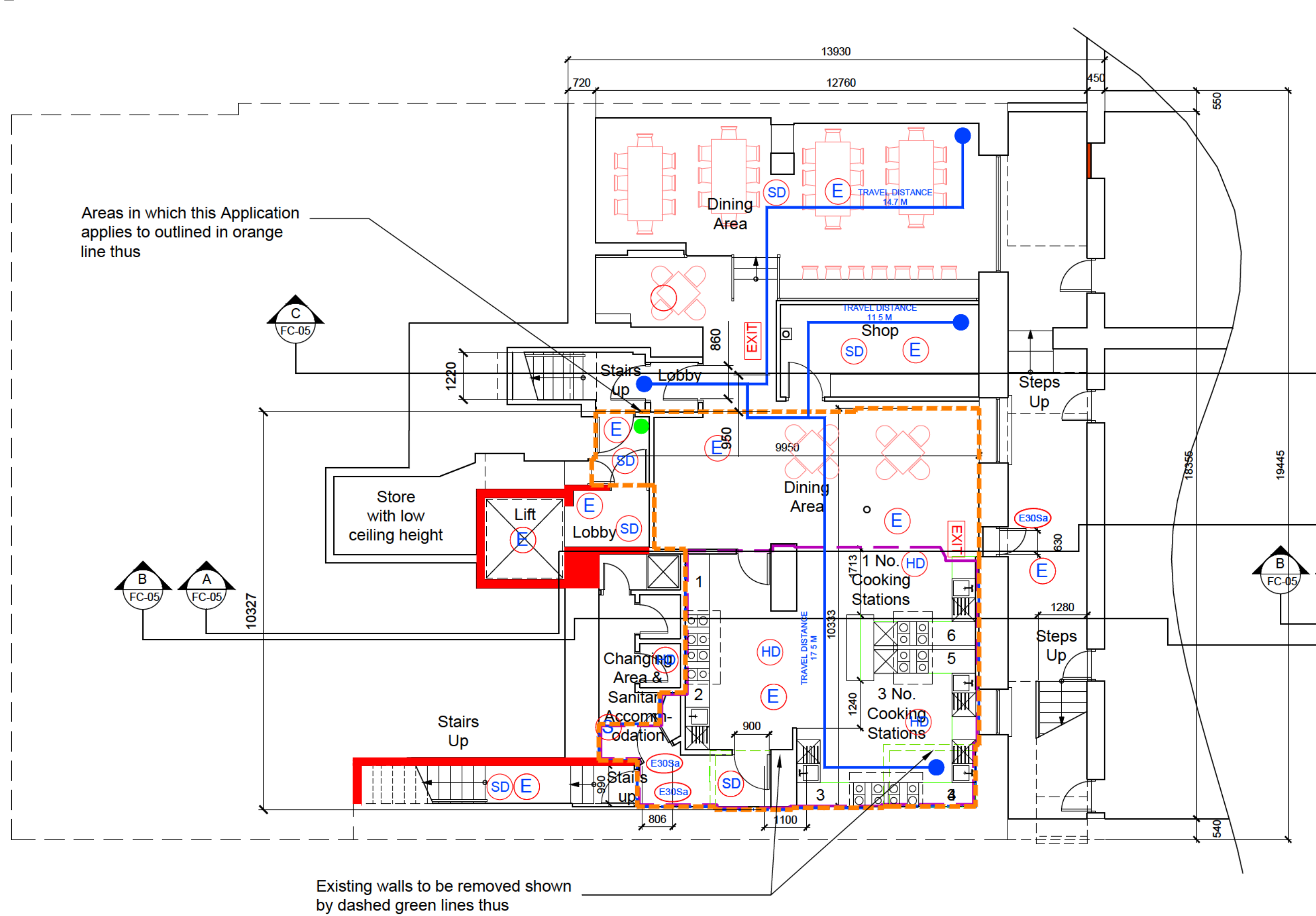
73 O'Connell Street,
Limerick.
Tel: 087-2368377
email: michaelconroyarchitects@gmail.com

Project Title:
Application for
Hanratty's Direct
Provision Centre,
Glentworth Street,
Limerick.

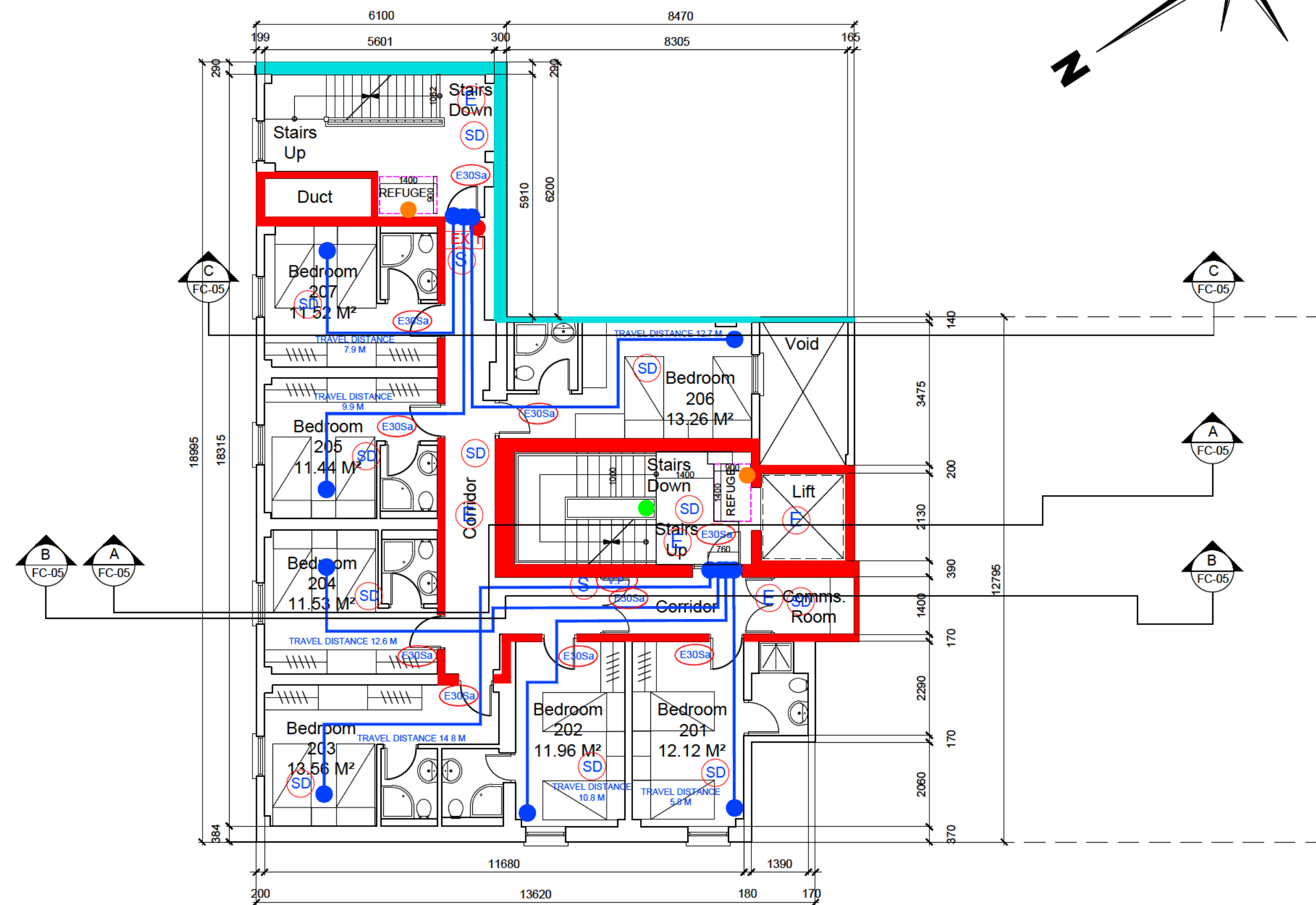
Client:
Birch Rental Ltd.

Drawing Title:
Existing Site Layout Plan

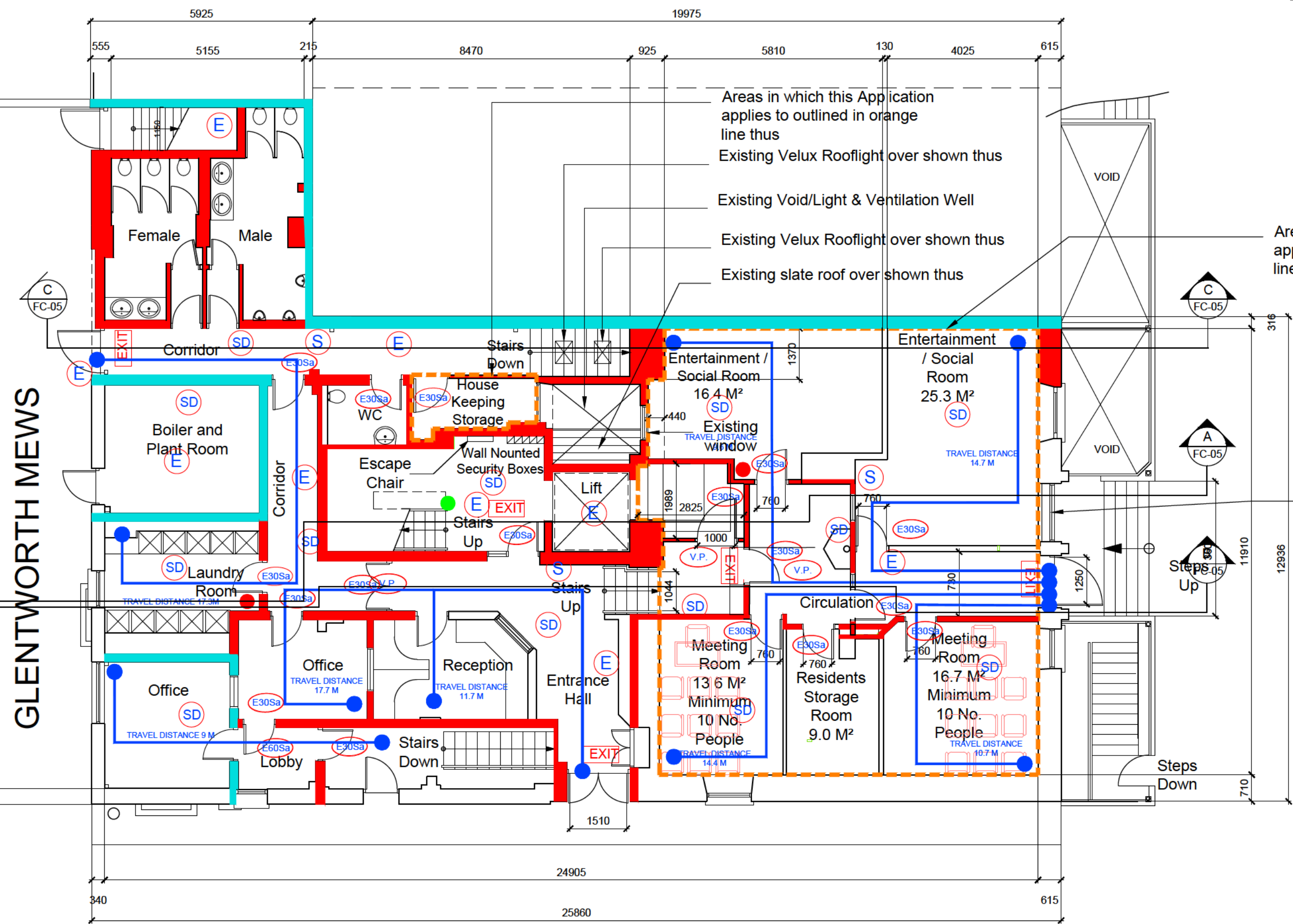
Project No.:	Drawing No.:	Rev.
19109	FC-01	C
Drawn:	Scale:	Checked:
M.C	1:500	M.C
		Date:
		16-09-2019



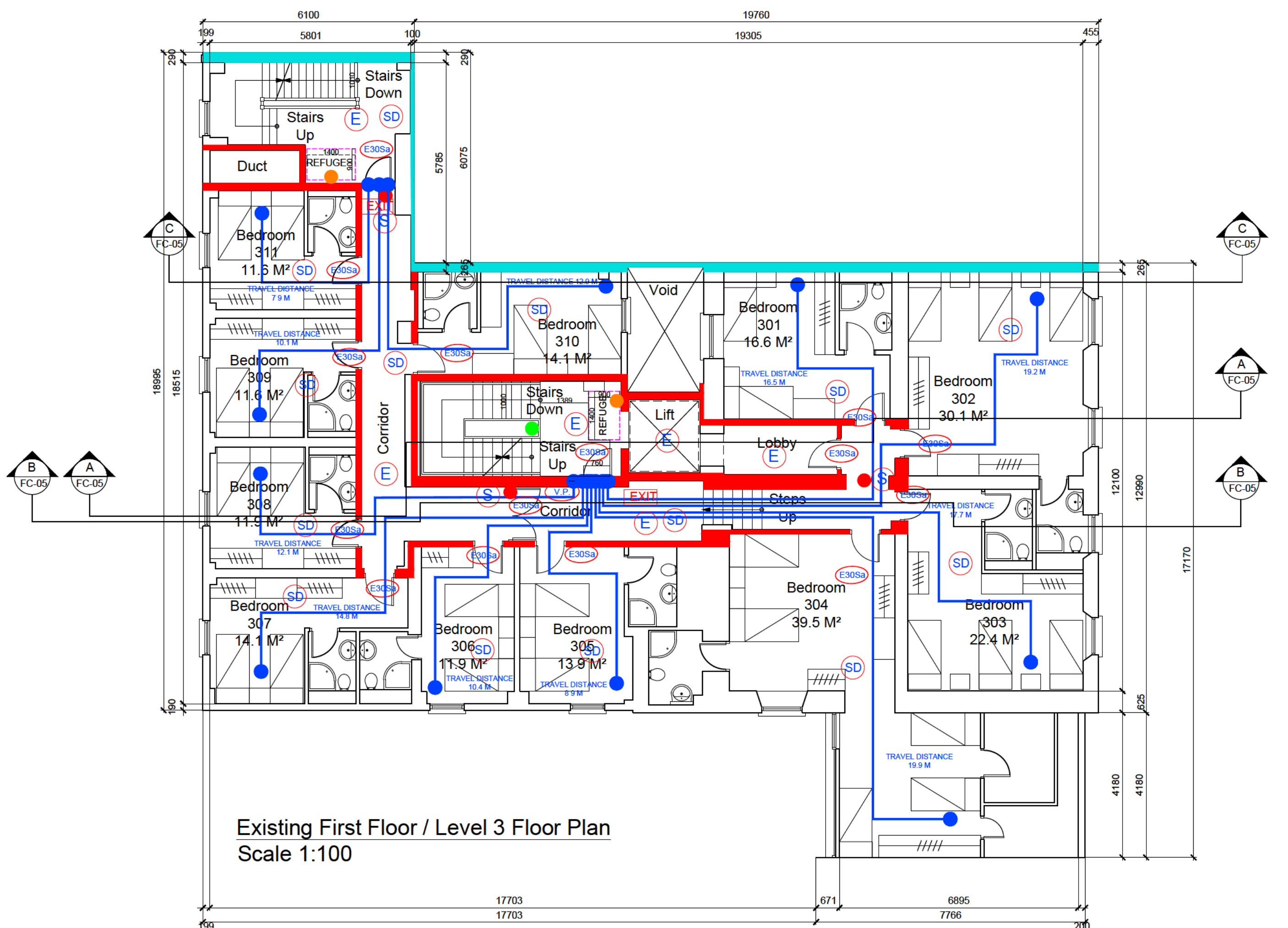
Proposed Basement/Level -1 Floor Plan
Scale 1:100



Existing First Floor / Level 2 Floor Plan
Scale 1:100



Proposed Ground Floor/Level 0 and Level 1 Floor Plan
Scale 1:100



Existing First Floor / Level 3 Floor Plan
Scale 1:100

- NOTES:
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LEGEND

- E60Sa ONE HOUR SELF CLOSING FIRE DOOR.
- E30Sa HALF HOUR SELF CLOSING FIRE DOOR.
- V.P. DOOR WITH GLAZED VISION PANEL.
- ONE HOUR FIRE RATED CONSTRUCTION.
- HALF HOUR FIRE RATED CONSTRUCTION.
- FIRE EXTINGUISHER.
- SD SMOKE DETECTOR.
- HD HEAT DETECTOR.
- S FIRE ALARM SOUNDER.
- E EMERGENCY LIGHT.
- EXIT ILLUMINATED EXIT SIGN.
- COMPARTMENT.
- FAP FIRE ALARM PANEL.
- FS FIREMAN'S SWITCH.
- DISABLED REFUGE INTERCOM.
- DRY-RISER.

D	Notes added in relation to the Light Well on the Ground Floor Plan	07-02-2020	M.C.
C	Notes added	19-12-2019	M.C.
B	Alterations made to Proposed Ground Floor and First Floor Plans	19-11-2019	M.C.
A	Titles Amended	24-09-2019	M.C.
Rev.	Description:	Date:	By:

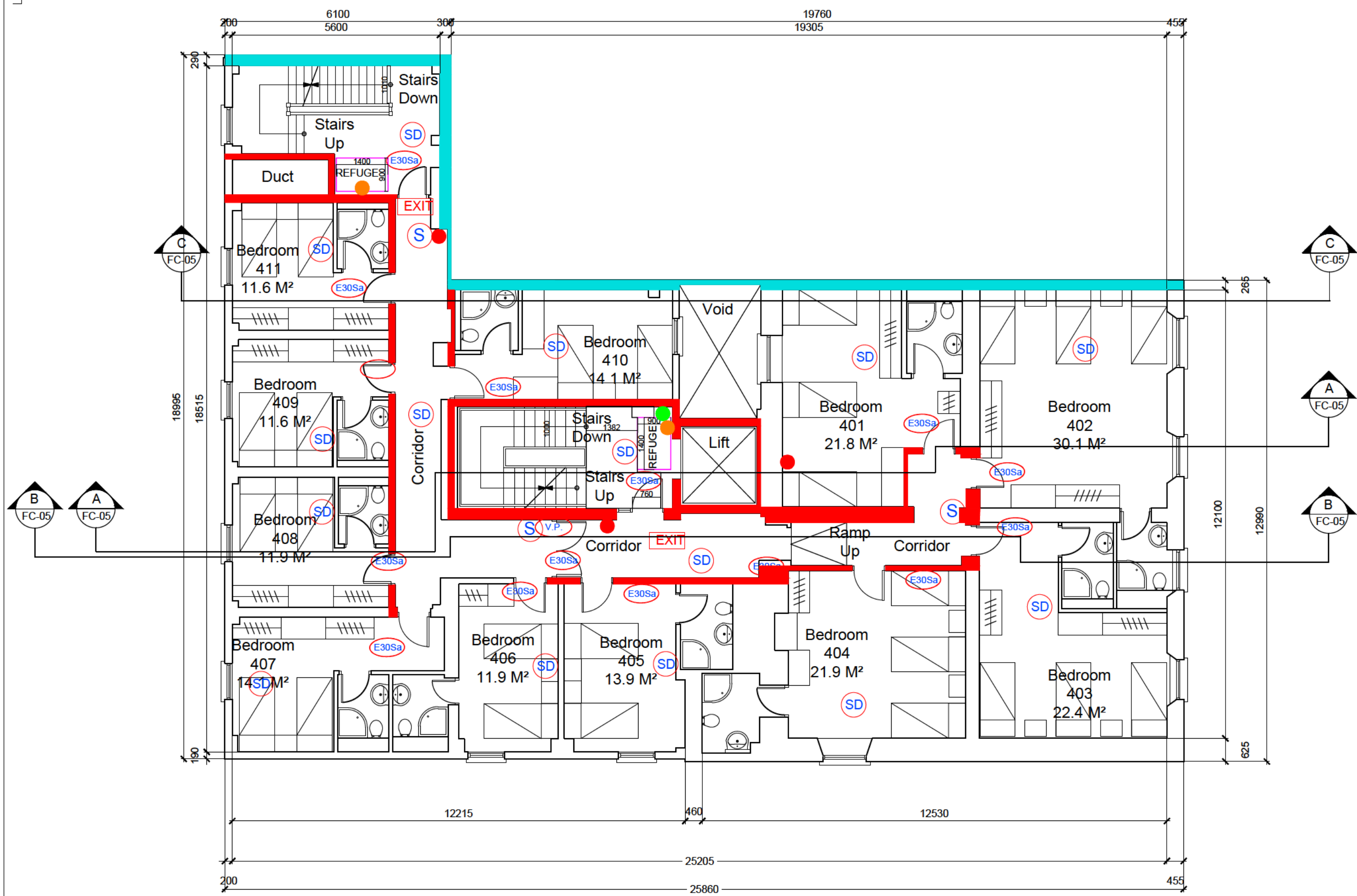
MICHAEL CONROY ARCHITECTS
73 O'Connell Street,
Limerick.
Tel: 087-2368377
email: michaelconroyarchitects@gmail.com

Project Title:
Application for Hanratty's Direct Provision Centre,
Glentworth Street,
Limerick.

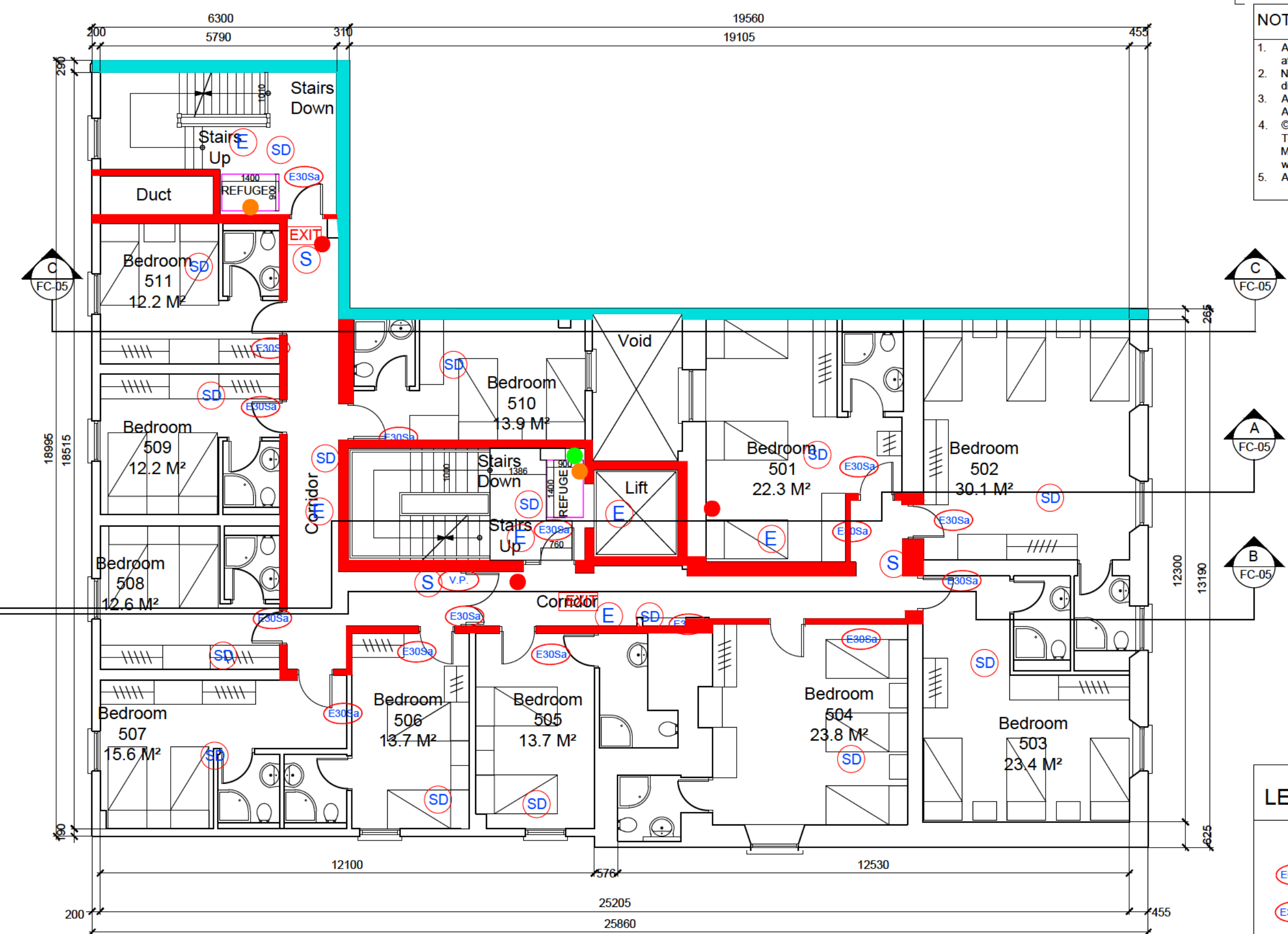
Client:
Birch Rental Ltd.

Drawing Title:
Proposed Floor Plans for Basement / Level -1, Ground Floor / Level 0 and Level1, Existing Floor Plans for First Floor / Level 2 & First Floor / Level 3

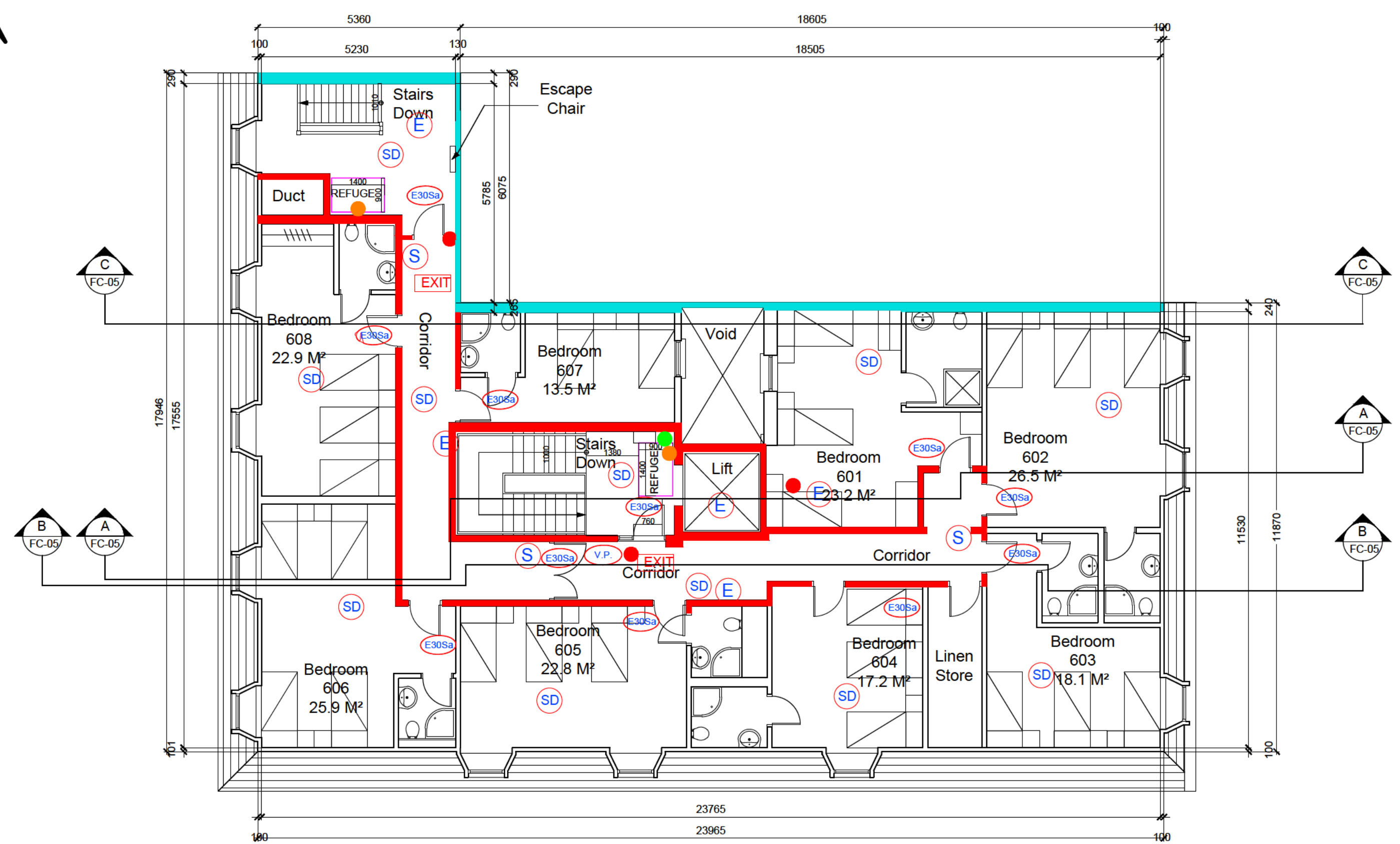
Project No.:	Drawing No.:	Rev.
19109	FC-02	D
Drawn:	Scale:	Checked:
M.C.	1:100	M.C.
Date:		
		16-09-2019



Existing Second Floor / Level 4 Floor Plan
Scale 1:100



Existing Third Floor / Level 5 Floor Plan
Scale 1:100



Existing Fourth Floor / Level 6 Floor Plan
Scale 1:100

- NOTES:**
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LEGEND

- (E60Sa) ONE HOUR SELF CLOSING FIRE DOOR.
- (E30Sa) HALF HOUR SELF CLOSING FIRE DOOR.
- (V.P.) DOOR WITH GLAZED VISION PANEL.
- (C) ONE HOUR FIRE RATED CONSTRUCTION.
- (R) HALF HOUR FIRE RATED CONSTRUCTION.
- (F) FIRE EXTINGUISHER.
- (SD) SMOKE DETECTOR.
- (HD) HEAT DETECTOR.
- (S) FIRE ALARM SOUNDER.
- (E) EMERGENCY LIGHT.
- (EXIT) ILLUMINATED EXIT SIGN.
- (C) COMPARTMENT.
- (FAP) FIRE ALARM PANEL.
- (FS) FIREMAN'S SWITCH.
- (O) DISABLED REFUGE INTERCOM.
- (G) DRY-RISER.

Rev.	Description:	Date:	By:
C	Notes added	18-12-2019	M.C.
B	Alterations made to Proposed Ground Floor and First Floor Plans	18-11-2019	M.C.
A	Titles Amended	24-09-2019	M.C.

MICHAEL CONROY ARCHITECTS
73 O'Connell Street,
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email: michaelconroyarchitects@gmail.com

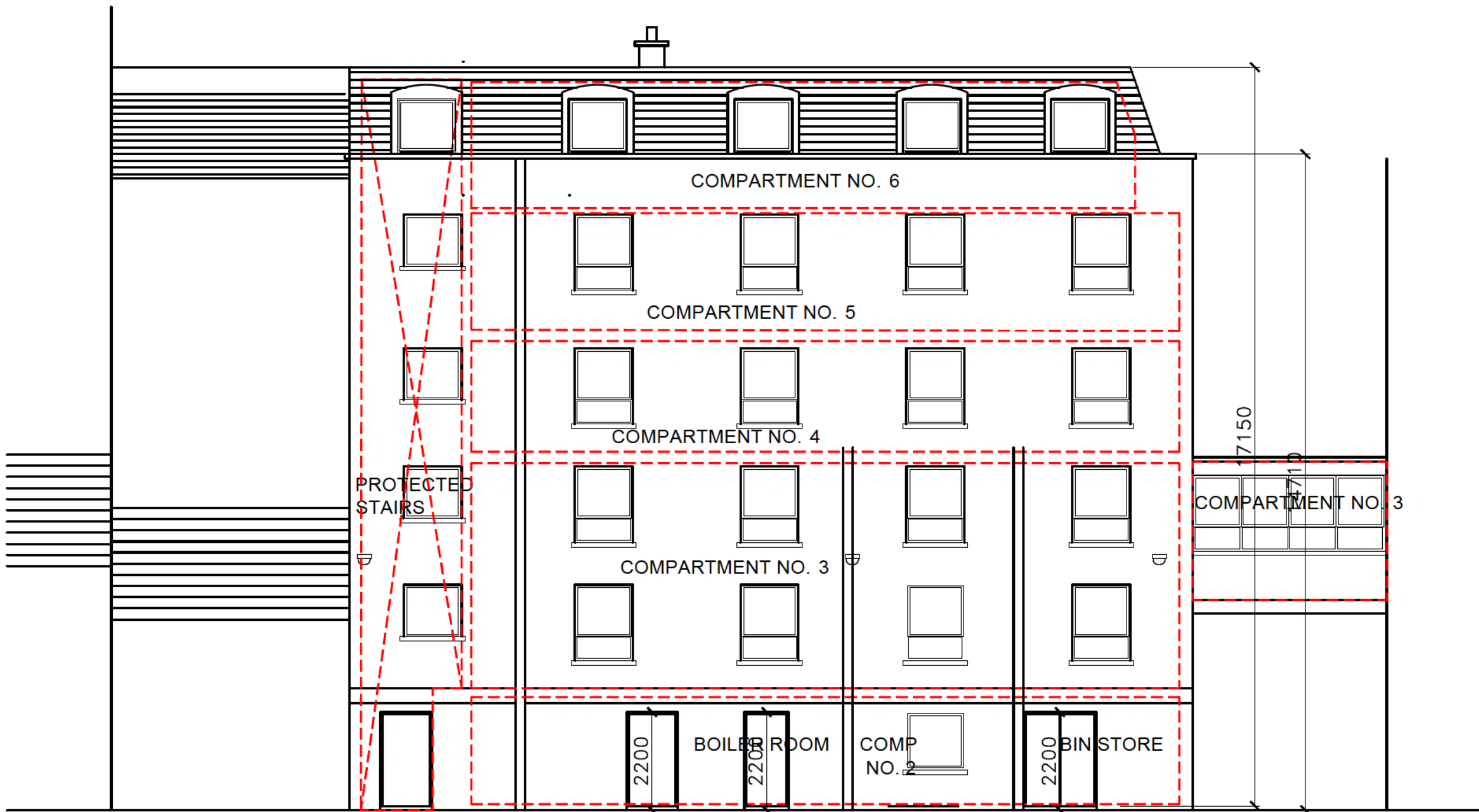
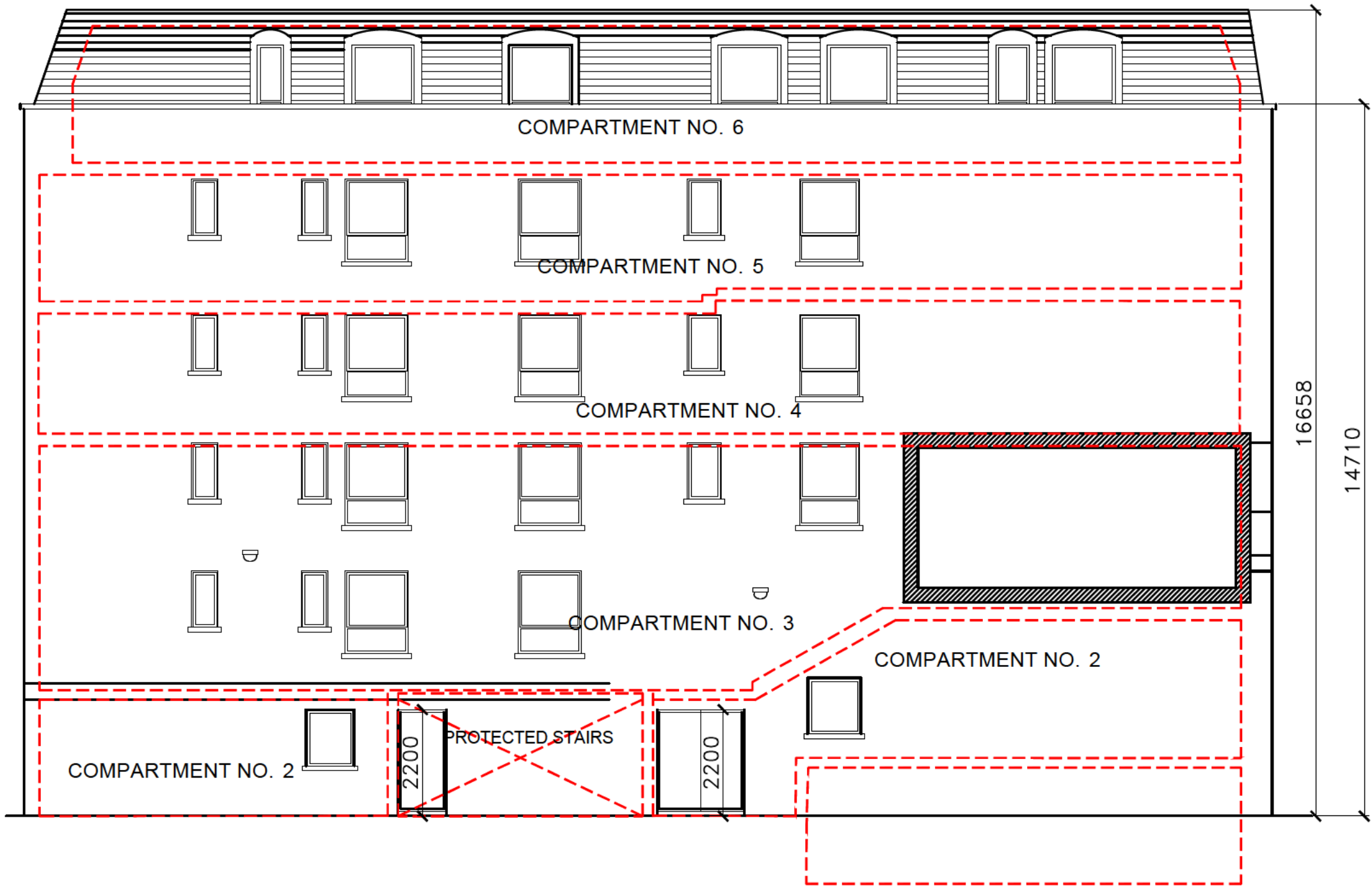
Project Title:
Application for Hanratty's Direct Provision Centre,
Glentworth Street,
Limerick.

Client:
Birch Rental Ltd.

Drawing Title:
Existing Floor Plans for Second Floor /
Level 4, Third Floor / Level 5, Fourth
Floor / Level 6

Project No.:	Drawing No.:	Rev.
19109	FC-03	C

Drawn:	Scale:	Checked:	Date:
M.C.	1:100	M.C.	16-09-2019



- NOTES:
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- DOOR WITH GLAZED VISION PANEL.
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- HALF HOUR FIRE RATED CONSTRUCTION.
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- SMOKE DETECTOR.
- HEAT DETECTOR.
- FIRE ALARM SOUNDER.
- EMERGENCY LIGHT
- ILLUMINATED EXIT SIGN.
- COMPARTMENT

A	Titles Amended	24-09-2019	M.C.
Rev	Description:	Date:	By:

MICHAEL CONROY ARCHITECTS
73 O'Connell Street,
Limerick.
Tel: 087-2368377
email: michaelconroyarchitects@gmail.com

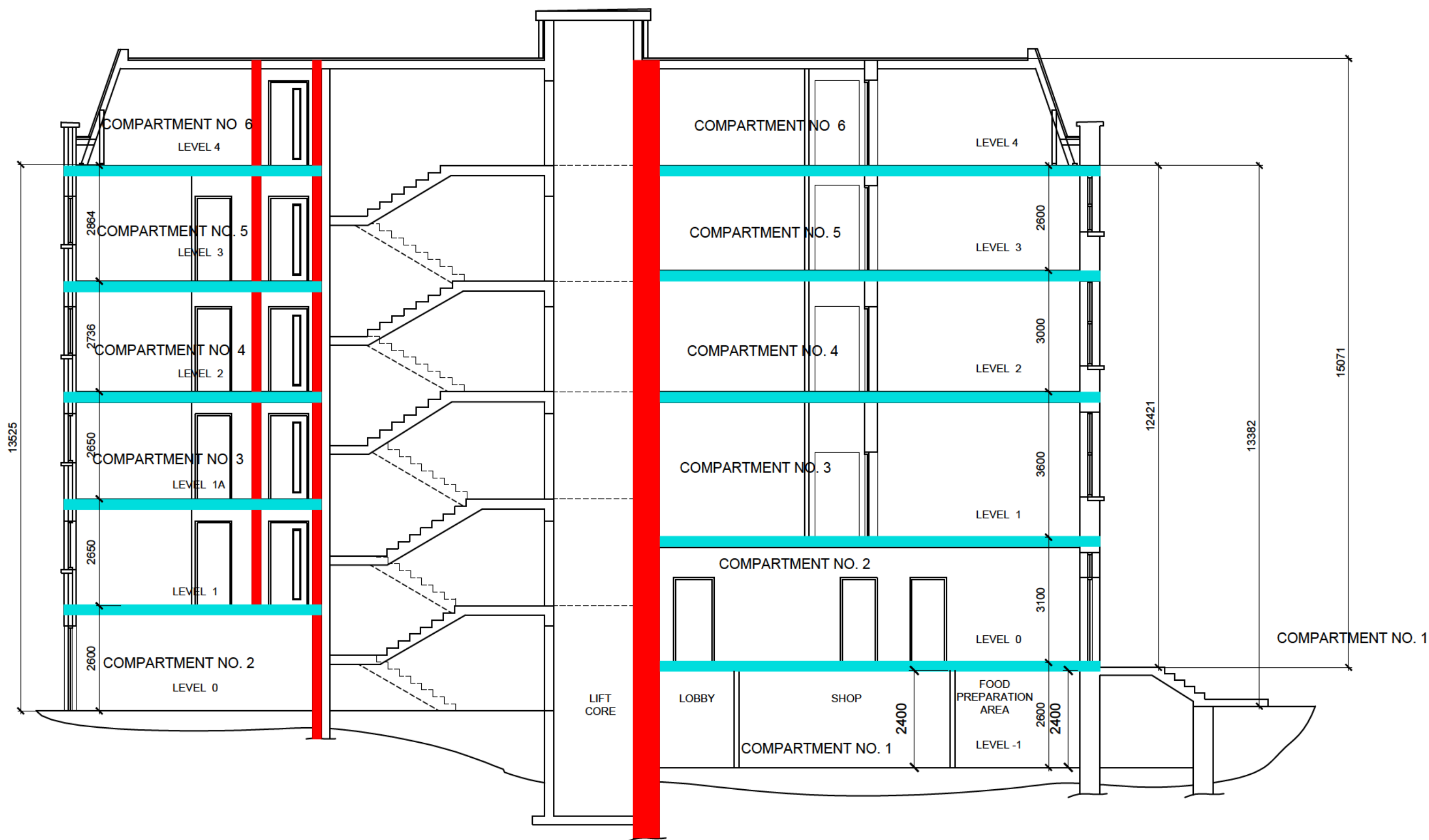
Project Title:
Application for Hanratty's Direct Provision Centre,
Glenthworth Street,
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Client:
Birch Rental Ltd.

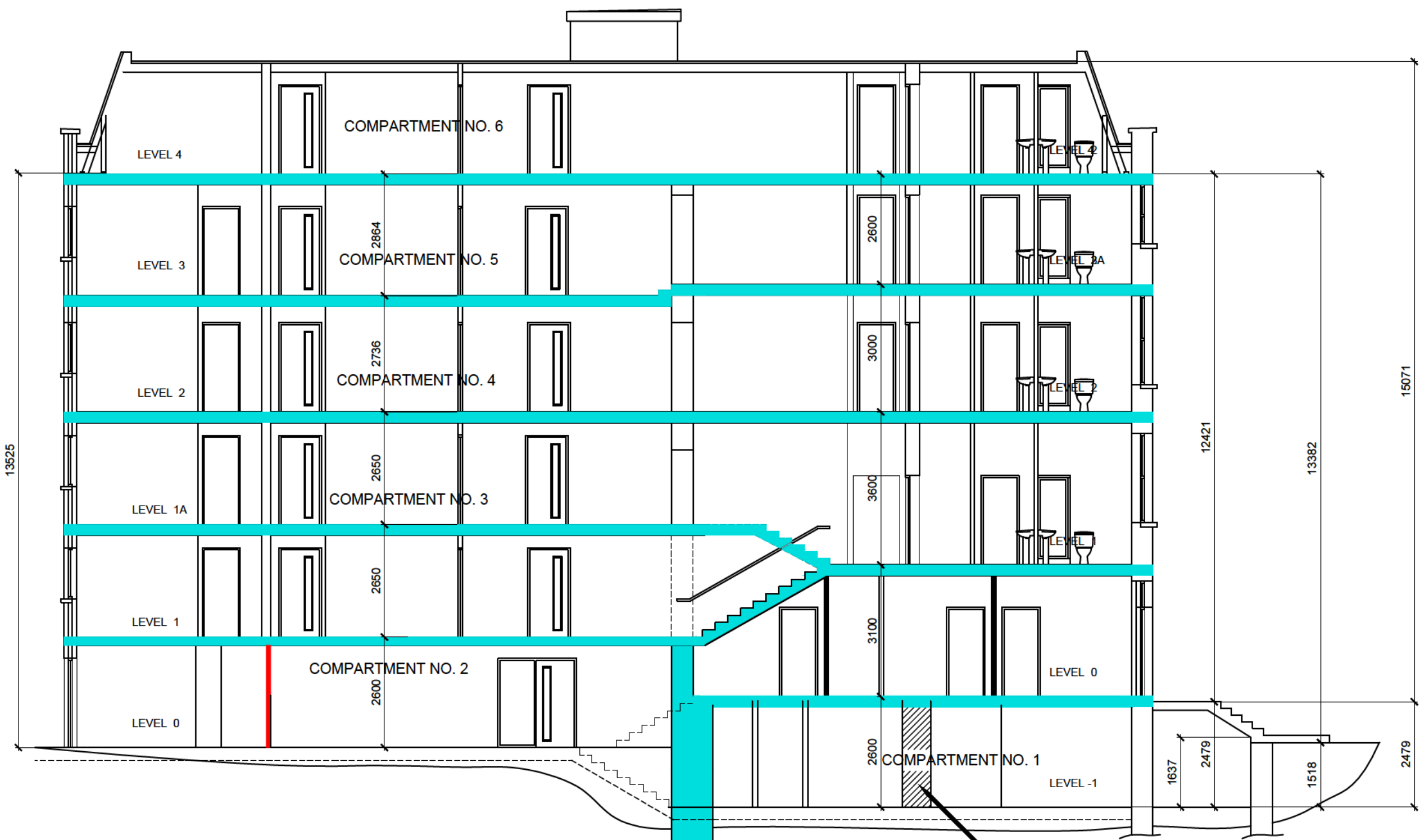
Drawing Title:
Existing South West , North West & North East Elevations

Project No.:	Drawing No.:	Rev.
19109	FC-04	A

Drawn:	Scale:	Checked:	Date:
M.C.	1:100	M.C.	16-09-2019

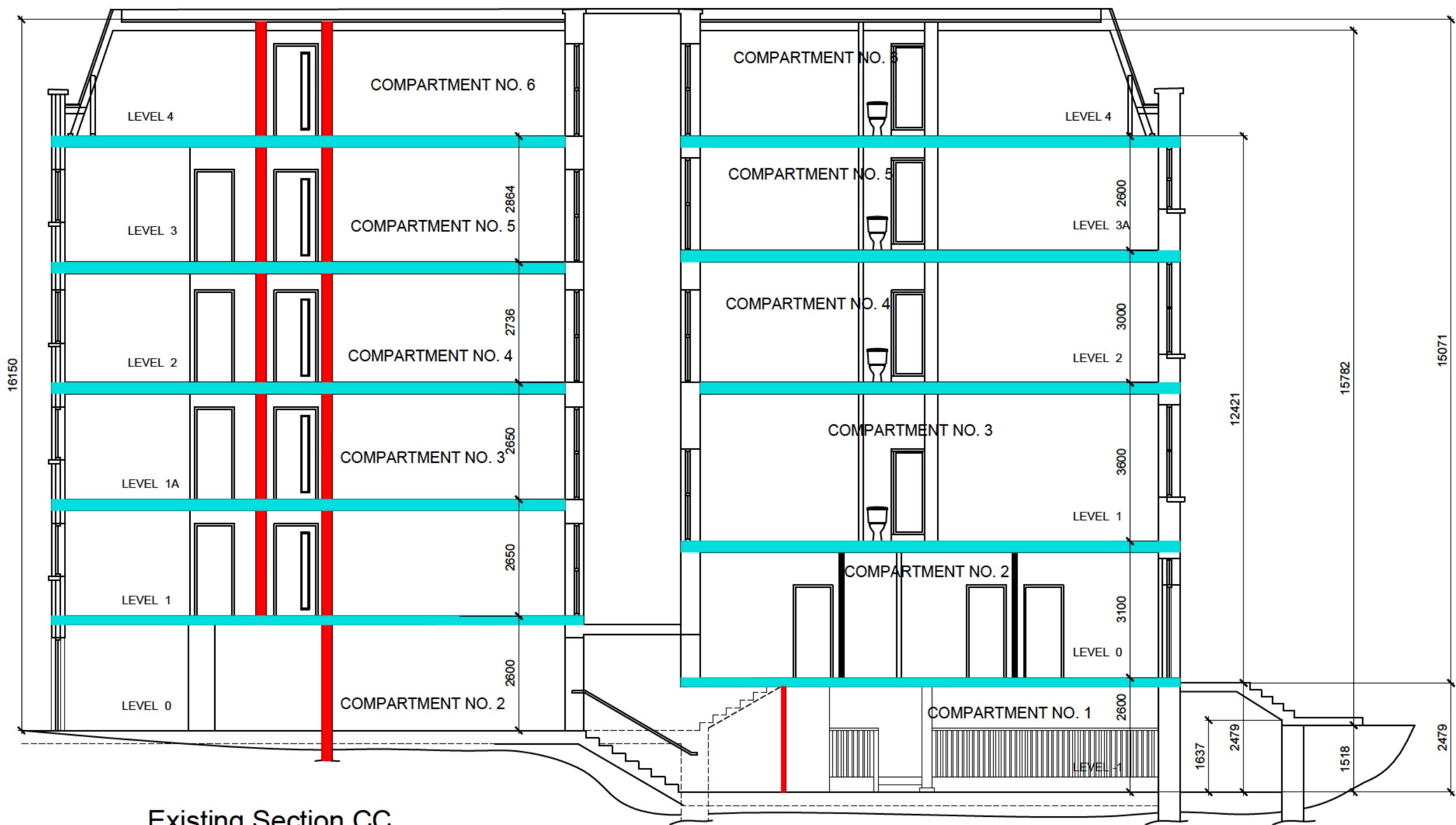


Proposed Section AA
Scale 1:100



Proposed Section BB
Scale 1:100

Masonry pier 60 minute
Fire Resisting



Existing Section CC
Scale 1:100

- NOTES:
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LEGEND

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- EXIT ILLUMINATED EXIT SIGN.
- COMPARTMENT COMPARTMENT.
- FAP FIRE ALARM PANEL.
- FS FIREMAN'S SWITCH.

B	Alterations made to Proposed Ground Floor and First Floor Plans	19-11-2019	M.C.
A	Titles Amended	24-09-2019	M.C.
Rev.	Description:	Date:	By:

MICHAEL CONROY ARCHITECTS
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Limerick.
Tel: 087-2368377
email: michaelconroyarchitects@gmail.com

Project Title:
Application for Hanratty's Direct
Provision Centre,
Glentworth Street,
Limerick.

Client:
Birch Rental Ltd.

Drawing Title:
Proposed Sections AA, BB &
Existing Section CC

Project No.:	Drawing No.:	Rev.
19109	FC-05	B
Drawn:	Scale:	Checked:
M.C.	1:100	M.C.
Date:		
16-09-2019		

Section 5 Declaration Planning Statement

Temporary Change of Use Under Class 20F

**at Hanratty's House,
5 Glentworth Street,
Limerick City,
V94 XF38**

On behalf of

Birch Rentals Ltd.

July 2026



**Brock
McClure**

PLANNING & DEVELOPMENT CONSULTANTS

63 York Road,
Dún Laoghaire
Co. Dublin

www.brockmcclure.ie



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1 Introduction

We, Brock McClure Planning & Development Consultants, 63 York Road, Dún Laoghaire, Co. Dublin, have been instructed by our client, **Birch Rentals Ltd, The Old Creamery Building, Drombanna, Co. Limerick** to submit this request for a Declaration as per the provision of Section 5 (2) (a) of the *Planning & Development Act, 2000 (as amended)* in relation to the temporary use of the building at Hanratty House, 5 Glentworth Street, Limerick City, V94 XF38 as accommodation for persons seeking international protection.

This request is accompanied by the following documents:

- Cover Letter
- Completed Section 5 Application Form
- This Section 5 Declaration Planning Statement prepared by Brock McClure Planning & Development Consultants
- The prescribed fee of €80.00 paid by phone 22 July 2026
- Site Location Map prepared by Michael Conroy Architects.
- Site Layout Plan prepared by Michael Conroy Architects.
- Existing Floor Plans prepared by Michael Conroy Architects.
- Existing Elevations prepared by J Michael Conroy Architects.

The application seeks a Section 5 Declaration to confirm that the temporary use of the building to accommodate persons seeking international protection, is exempted development in accordance with Class 20F of Schedule 2 Part 1 of the Planning and Development Regulations (2001) as amended.

The temporary use of the buildings is on behalf of the Minister of Justice, Home Affairs and Migration (previously, Minister of Children, Equality, Disability, Integration and Youth) to assist in meeting Ireland's legal obligation to provide accommodation to persons seeking international protection. Details from the existing contract from the Minister's Department is provided with this application to confirm the current arrangement on site. Appendix A refers. This contract is currently the subject of a renewal process.

To assist the local authority's consideration, this Planning Statement is set out as follows:

- Section 2 - Site Context
- Section 3 - Planning History
- Section 4 - Planning Policy Context
- Section 5 - The Proposal
- Section 6 - Planning Legislation
- Section 7 - Conclusion

This report sets out that:

- The most recent use of the building prior to occupation by those seeking international protection is 'hotel'. Hotels are included on the list of applicable buildings contained in Class 20F of the Planning and Development Regulations (2001) (as amended).
- No works are proposed to the building itself, and rather, it is only the proposed temporary use of the building that is subject to this request for a Section 5 Declaration.
- The temporary use of the buildings is on behalf of the Minister of Justice, Home Affairs and Migration (previously, Minister of Children, Equality, Disability, Integration and Youth) to assist in meeting Ireland's legal obligation to provide accommodation to international protection applicants. Details from the existing contract from the Minister's Department is provided with





this application to confirm the current arrangement on site. Appendix A refers. This contract is currently the subject of a renewal process.

- The proposal meets the conditions and limitations of Class 20F as set out in this statement.
- The proposal meets the requirements of Section 9 (1) (a) of the Planning and Development Regulations (2001) (as amended).
- The use for the purposes of accommodating persons seeking international protection will be discontinued not later than 31 December 2028, or on another further extended date set out in relevant statutory instruments.

1.1 Summary of Outcome Sought in this Declaration Request

The applicant is seeking a declaration from Limerick City and County Council under the provisions of Section 5 (2) (a) of the Planning and Development Act to determine:

“That the temporary change of use from hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).”

It is our professional planning opinion that the proposal outlined above is ‘exempted development’ in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).





2 Site Context

2.1 Site Location & Details

The subject site is located at Hanratty House, 5 Glentworth Street, Limerick, V94 XF38 and measures approx. 0.04 ha. The subject site is located within the City centre approx. 50 m from O'Connell Street. The site currently contains Hanratty Hotel varying in height from four to six storeys. There is an archway to the side of the property providing access to the rear of the buildings.

A site aerial is shown below for the benefit of the Planning Authority.

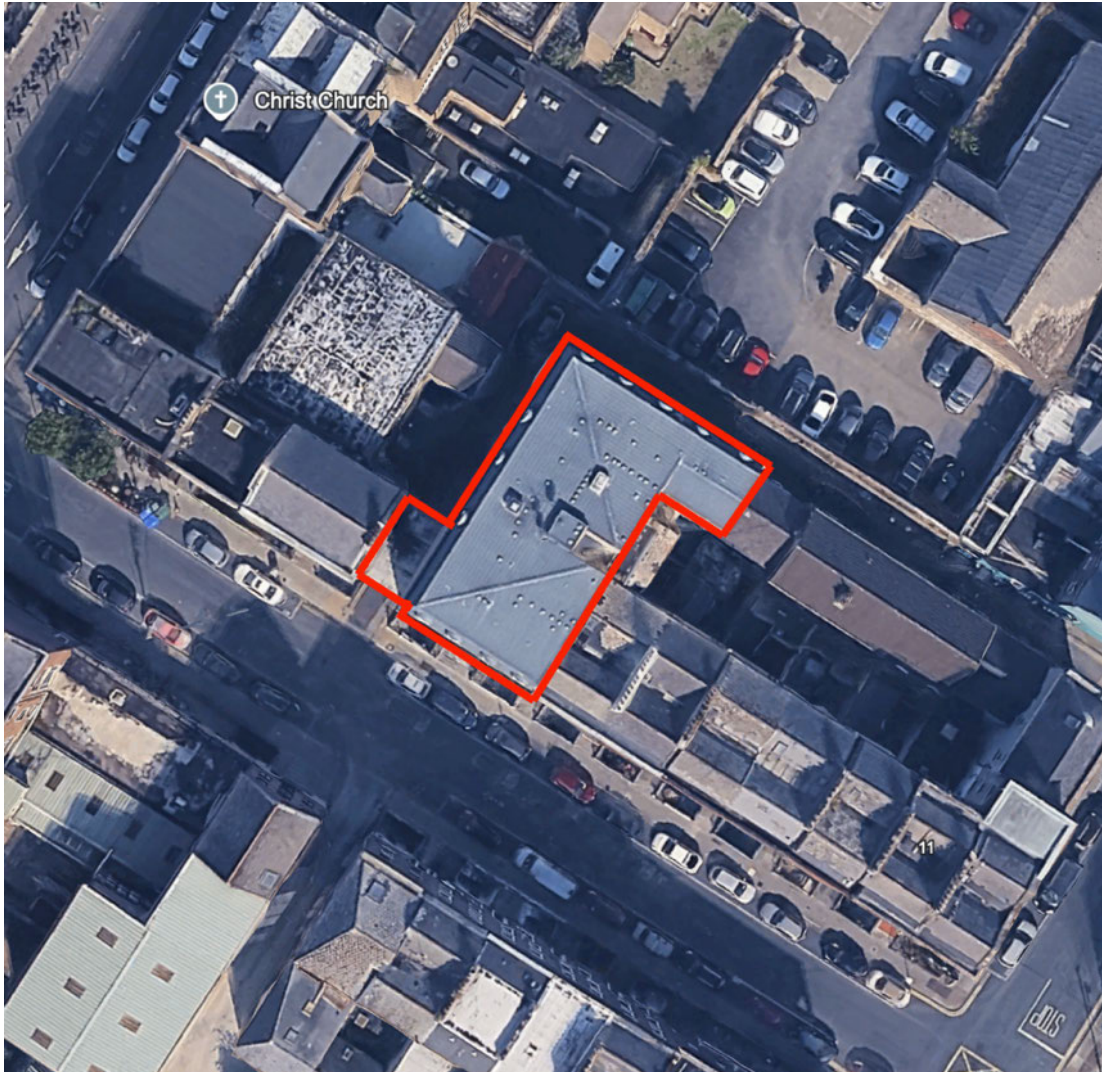


Figure 1 - Aerial Map with site outlined in Red

2.2 History & Current Use of the Building

Prior to the occupation of the building by persons seeking international protection, Hanratty House was in operation as a hotel since the early 1800s. It has been owned by the applicant since the 1990s and operated as hotel under their control. The hotel closed in 2006 to facilitate the extension and refurbishment of the building following a grant of permission for works to the building in 2002 (File Ref. 02770419 refers). The first residents under the direct provision system moved into the building in June 2009 as they were moving out of Clyde House (which the applicant also owned) to facilitate the sale of the building to Novas.

The purchase of the building was supported by Limerick City and County Council. We note also that Limerick City and County Council are aware of the ongoing temporary use of the building for IPAS. We





refer specifically to fire certificates outlining the use enclosed in Appendix C and ongoing engagement with Limerick City and County Council on the operation of the facility in Appendix D.

The centre has remained in continuous temporary operation as IPAS since the first residents moved in to the property in 2009 and has been under continuous contract with the government on a temporary basis.

Hotel use as a use facilitates the accommodation of those seeking international protection under Class 20F of the Planning and Development Regulations 2001 (as amended).

The applicant currently has a contract with the Department of Justice, Home Affairs and Migration (previously, Department of Children, Equality, Disability, Integration and Youth) to house those seeking international protection. A copy of this contract is enclosed with the application documentation as Appendix A of this report. This contract is currently the subject of a renewal process.

2.3 Relevant Planning History

Reg. Ref. 02770419

Permission was GRANTED to 1. Demolish existing mews house no. 7 to laneway at rear and construct new building comprising basement store, ground floor toilets and store and five floors over comprising new fire escape and bedrooms. 2. Construct new bedrooms on three floors over existing bedroom block to rear laneway. 3. Carry out internal alterations and extensions comprising new fire escape, new lift, demolition of internal wall and redesign of fining area, redesign kitchen area, relocation of toilets etc. 4. Construct 5 no. new floors over ground comprising bedrooms, laundry and store, fire escape and lift facilities to internal 'well' area. 5. New pitched roof to front comprising bedroom block.

Permission was granted on 26 August 2003 with the decision subject to 10 no. conditions.

This is the most recent planning application pertaining to the site as later permissions were not implemented. We note that the final grant of permission for this file is appended as Appendix E and following review there are no notable conditions that impact the declaration now sought for the relevant exemption.

Reg. Ref. 05770133

Permission was **GRANTED** for the following development; 1. Change of use of Hotel as offices. 2. Construction of new floor for use as offices at third floor level. 3. Fit new windows to side and rear elevations and to first floor link across laneway to front. 4. Redesign of front entrance area to form open area into basement with connecting external stairs to same. 5. Carry out internal refurbishments including installation of a new lift.

Permission was granted on the 22nd of September 2005 and the decision was subject to 10 no. conditions.

This permission was not implemented on site.

Reg. Ref. 06770460

Permission was **GRANTED** for revisions to planning permission P05/133 already approved comprising (A) general internal revisions to floor layout (B) revision to rear and side elevations and (C) extension to existing floor area to rear and side of building at fourth floor level of 170 square meters.

Permission was granted on the 13 March 2007. The decision was subject to 6 no. conditions.

This permission was not implemented on site.



3 Planning Context

The Limerick County Development Plan 2022-2028 represents the statutory planning document governing the subject site. The Limerick County Development Plan 2022-2028 was adopted by the elected members of Limerick County Council in June 2022. The Plan came into effect on the 29th of July 2022.

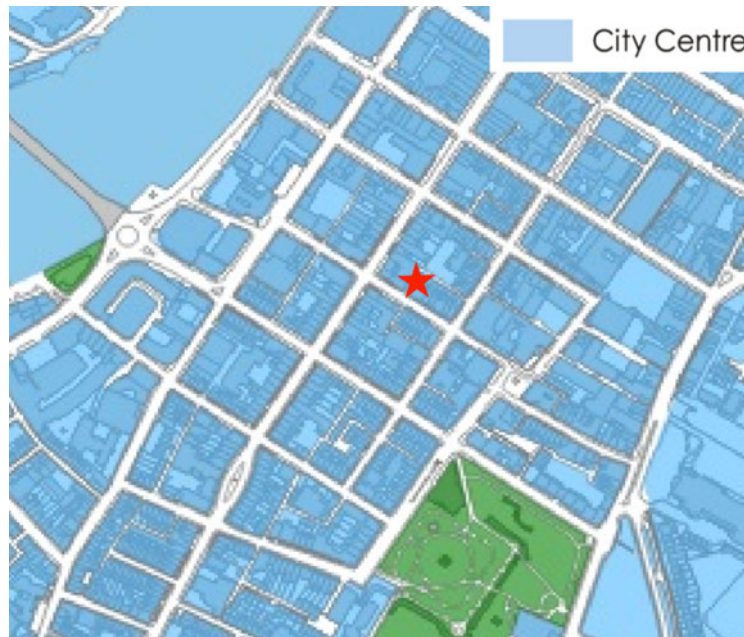


Figure 2 – Limerick City Zoning Map Extract (site identified with red star)

As outlined in the figure above, the subject site is zoned ‘City Centre’ with an objective “To protect, consolidate and facilitate the development of the City Centre commercial, retail, educational, leisure, residential, social and community uses and facilities.”

Its purpose is “To consolidate Limerick City Centre through densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, civic, cultural, leisure, residential uses and urban streets, while delivering a high-quality urban environment which will enhance the quality of life of residents, visitors and workers alike. The zone will strengthen retail provision in accordance with the Retail Strategy for the Limerick Shannon Metropolitan Area and County Limerick, emphasise urban conservation, ensure priority for public transport, pedestrians and cyclists, while minimising the impact of private car-based traffic and enhancing the existing urban fabric.”

The subject site is located within the Architectural Conservation Area (ACA) 1 Newtown Perry. This area is recognised as an ACA due to its classical Georgian architectural feature including terraced buildings with basements visible at street level, hipped roofs, parapets, symmetrical panelled sash windows with classical proportions (1:1:6). There is over 220 buildings/structures that have been recognised by the National Inventory of Architectural Heritage as being regionally important, in terms of architectural and special interest. However, Hanratty House is not recognised in this inventory.



Figure 3- ACA 1 Newtown Perry (subject site identified with red star)

The most recent use at this site is hotel use. This use is generally permitted in principle under the site's zoning objective.

We note specifically that Section 4.2.17 of the County Development Plan sets out that “The Council will continue to work in conjunction with voluntary housing bodies and other agencies **to provide emergency accommodation** for the homeless and those who find themselves in need of crisis facilities.” Policy HO P2 Homeless Accommodation goes on to state that “It is a policy of the Council to implement measures to address the homeless crisis in Limerick”.





4 The Proposal

This report can confirm that there are no proposed works internally or externally to the existing structures. The existing drawings provided with this declaration are as the building exists and as they will remain. The current proposal very simply confirms the temporary use of the building for those seeking international protection.

The figures below outline the location of the building, the layouts and the existing ground floor and first floor plans subject of this Section 5 Declaration. Please refer to the Michael Conroy Architects pack included with this application for a full suite of Architectural drawings.

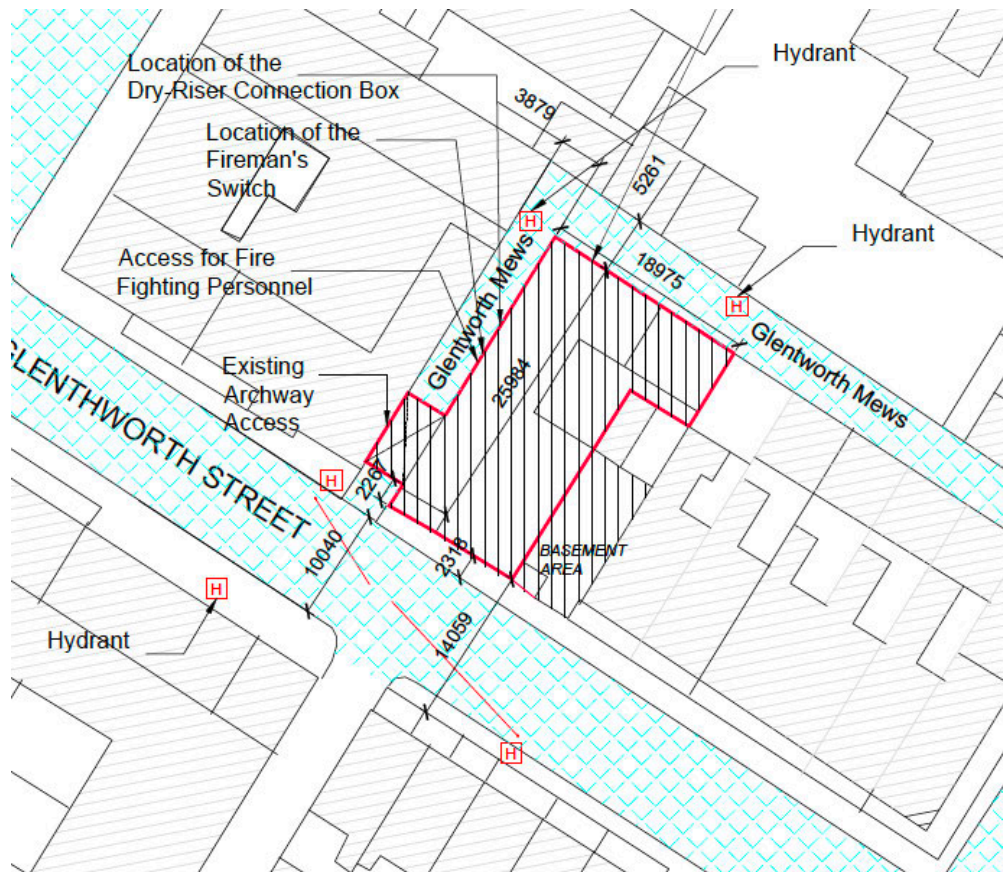
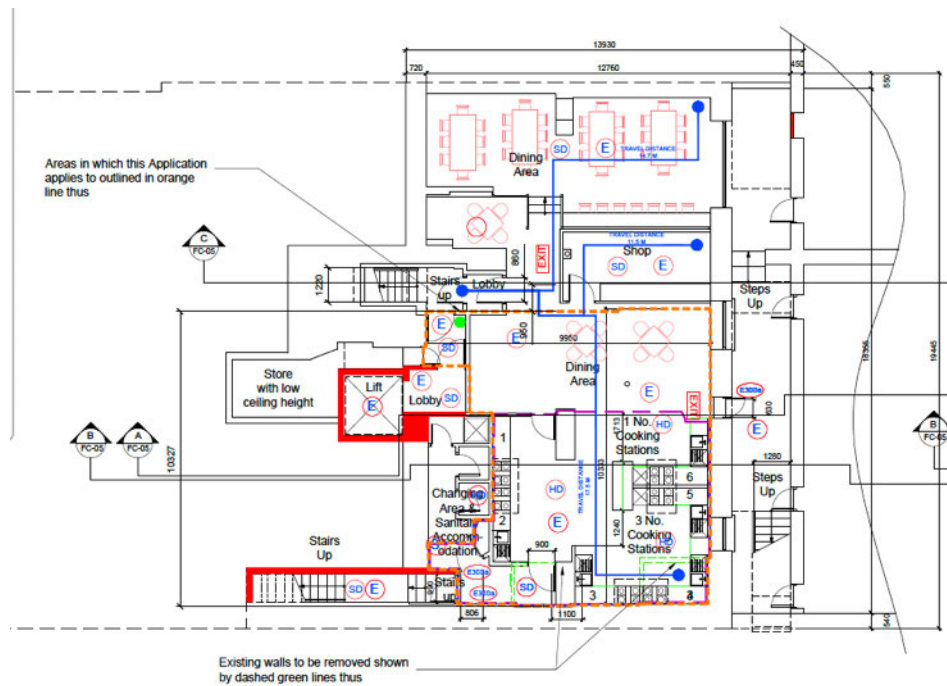


Figure 3 - Site Layout Plan

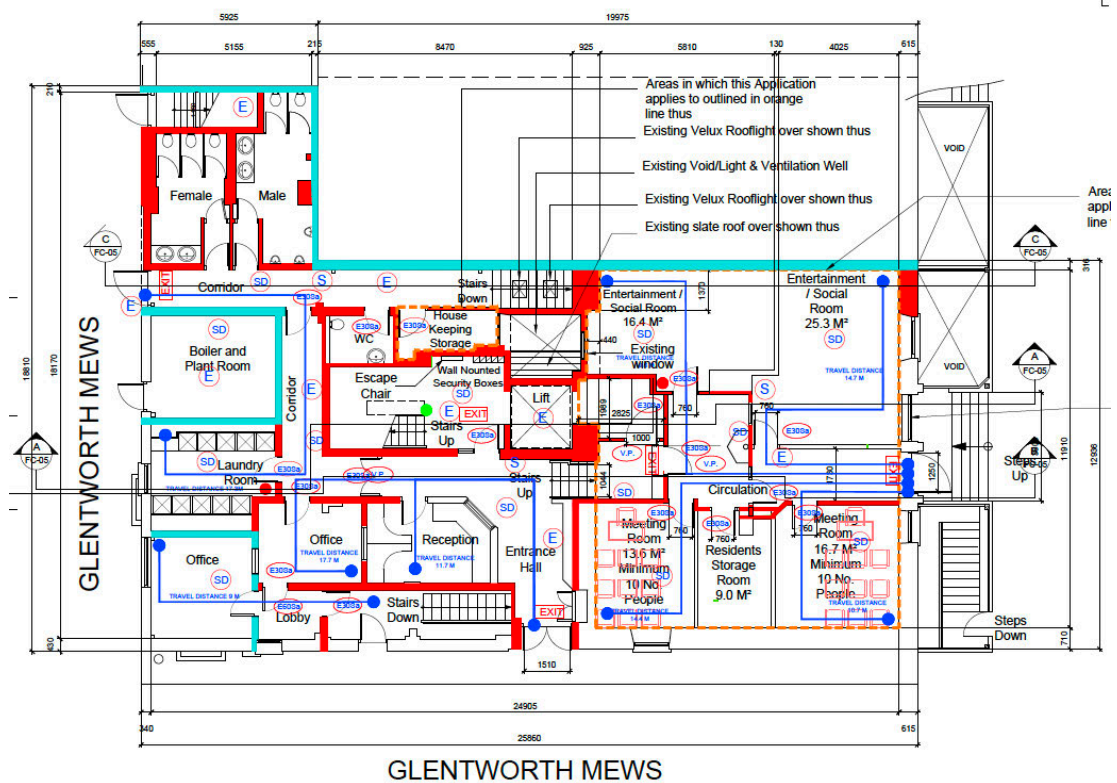
The existing Hanratty House building functions as a 48 bedroom property all of which have en-suite bathroom facilities. The building comprises six storeys over basement level. The kitchen and a resident vending kiosk are on the basement floor, the laundry room is on the ground floor and bedrooms on the upper floors. In addition there is a reception area, a dining space, a communal kitchen area with individual cooking stations. There is also a television room, visitor room, and meeting / study rooms.





Proposed Basement/Level -1 Floor Plan
Scale 1:100

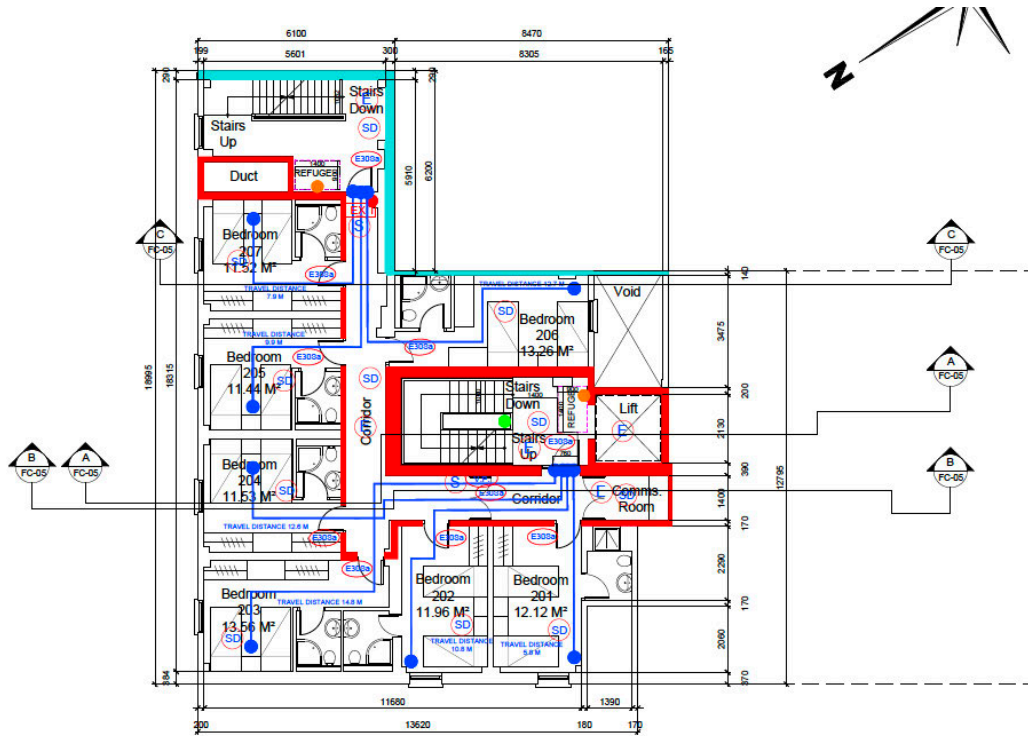
Figure 4 – Level -1 Existing Floor Layout Plan



Proposed Ground Floor/Level 0 and Level 1 Floor Plan
Scale 1:100

Figure 5 – Level 0 and Level 1 Existing Floor Layout Plan

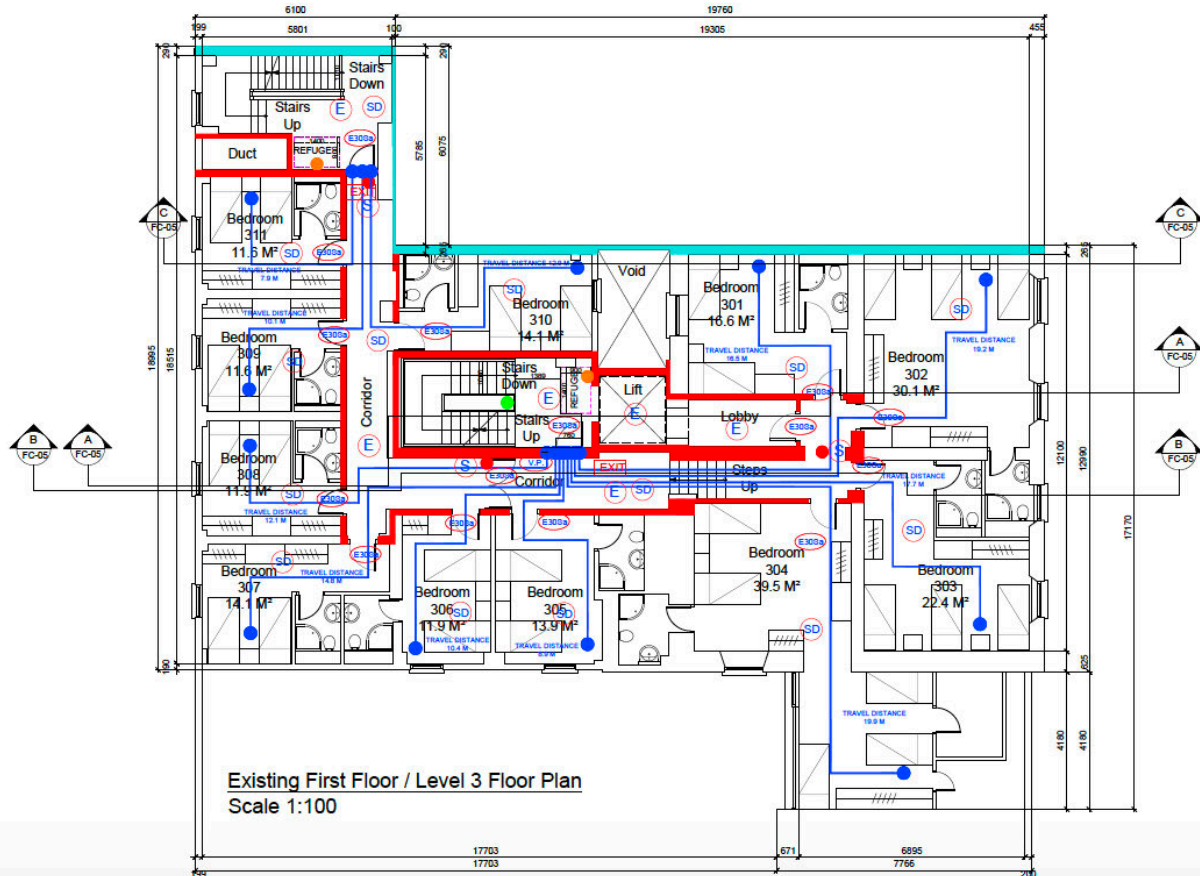




Existing First Floor / Level 2 Floor Plan
Scale 1:100

[A1]

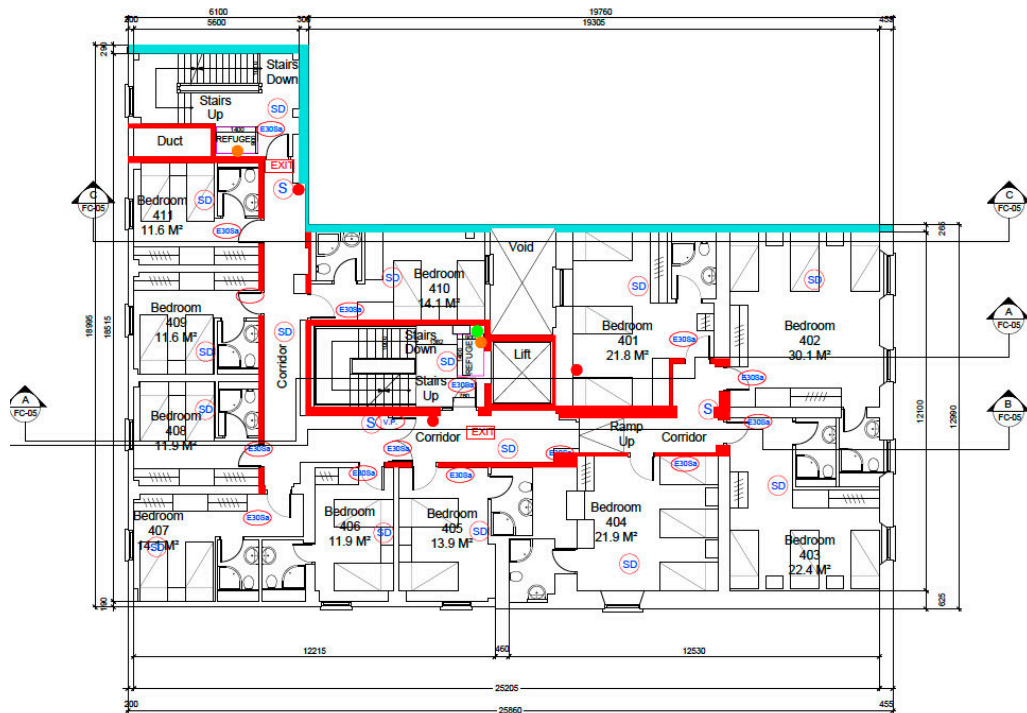
Figure 6 – Level 2 Existing Floor Layout Plan



Existing First Floor / Level 3 Floor Plan
Scale 1:100

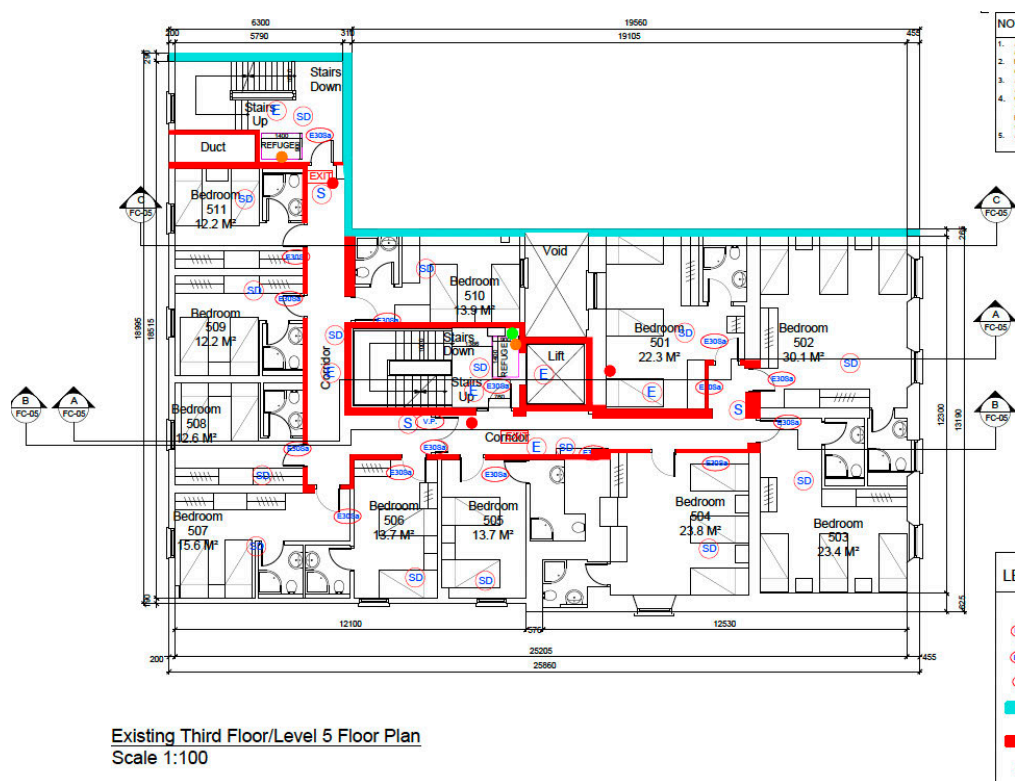
Figure 7 – Level 3 Existing Floor Layout Plan





Existing Second Floor /Level 4 Floor Plan
Scale 1:100

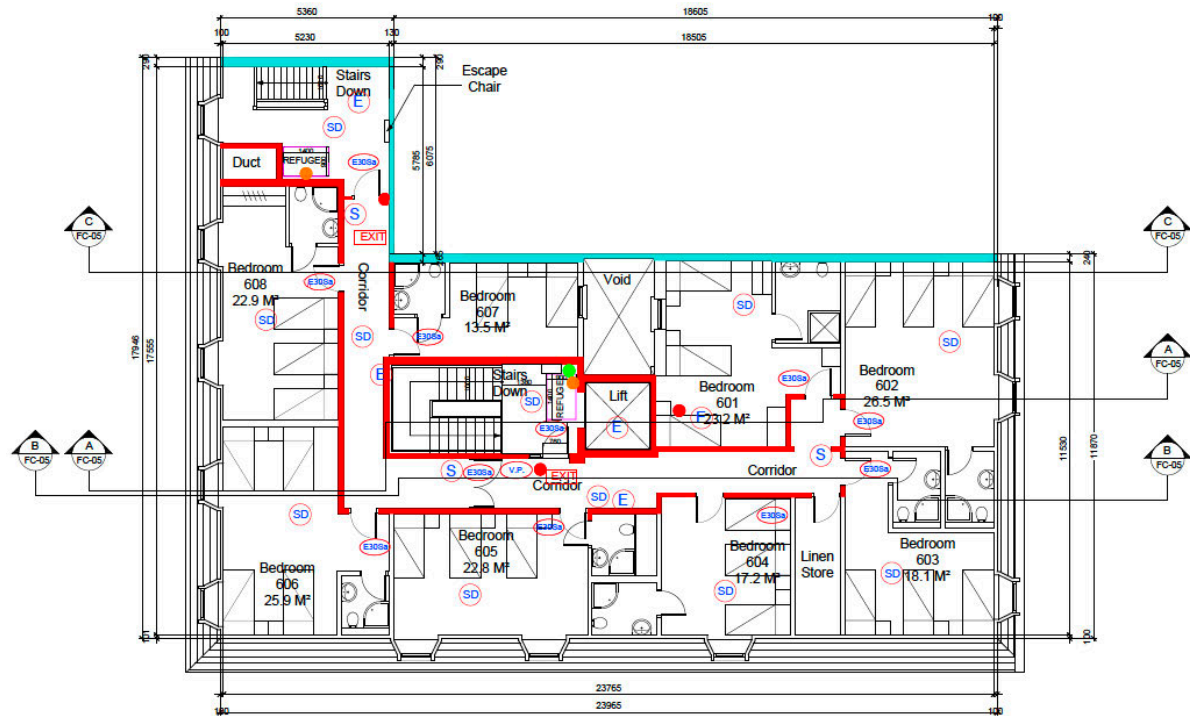
Figure 8 – Level 4 Existing Floor Layout Plan



Existing Third Floor/Level 5 Floor Plan
Scale 1:100

Figure 9 – Level 5 Existing Floor Layout Plan





Existing Fourth Floor / Level 6 Floor Plan
Scale 1:100

Figure 10 – Level 6 Existing Floor Layout Plan



Figure 11 – Existing Elevations/Sections





5 Statutory Provisions

5.1 Planning and Development Act, 2000 (as amended)

Section 2 (1) of the Planning and Development Act 2000 (as amended) states:

‘In this Act, except where the context otherwise requires –

“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:

‘In this Act, “development” means, except where the context otherwise requires, 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 4 (4) of the Planning and Development Act 2000 (as amended) states:

‘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’.

It is considered that an environmental impact assessment or appropriate assessment are not required in respect of the subject proposal.

The proposal for change of use from Hotel to Temporary International Protection Accommodation will utilise existing foul and surface water drainage connections associated with the hotel development.

5.2 Planning and Development Regulations 2001 (as amended)

The change of use from hotel use to temporary international protection accommodation is considered ‘exempted development’ in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended), which lists the following as exempted development:

‘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’.

Class 20F was 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. **There is a clear exemption provided for buildings that are defined as ‘hotel’ for temporary use to accommodation persons seeking international protection as highlighted above.**

Circular Letter PL 09/2023 is included as Appendix B of this report, issued by the Department of Housing, Local Government and Heritage to notify the Directors of Planning in each Local Authority of the insertion of the Planning and Development (Exempted Development) (No. 4) Regulations 2023 (S.I. 376/2023) which extends the exemption provided by S.I. 605 of 2022, from 31 December 2024 to 31 December 2028.

Article 6 (1) of the Planning and Development Regulations 2001 (as amended) 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.”

The below table outlines the conditions and limitations associated with exempted development Class 20F, and a response from the applicant to each for the benefit of the Planning Authority:

	Exempted Development Class 20F – Conditions and Limitations	Applicant Response
1	The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.	The temporary use is only for the purpose of accommodating persons seeking international protection. Our client has an existing contract with IPAS on behalf of the Minister for Children, Equality, Disability, Integration and Youth to provide accommodation services to persons seeking International Protection. We refer the Planning Authority to a copy of this contract enclosed. Appendix A refers. This contract is currently the subject of a renewal process.
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 ¹ comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001.	This limitation is noted – We confirm that our client has an existing contract with IPAS on behalf of the Minister for Children, Equality, Disability, Integration and Youth to provide accommodation services to persons seeking International Protection only. We refer the Planning Authority to a copy of this contract enclosed. Appendix A refers. This contract is currently the subject of a renewal process.
3	The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.	This limitation is noted - The use for the purposes of accommodating persons seeking international protection will 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.	This limitation is noted - Where temporary use of any structure for displaced persons is discontinued in accordance with the above the use shall continue for the accommodation of persons seeking international protection.
5	The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.	This limitation is noted.
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.	This limitation is noted - This is fully understood and will be complied with in full.





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).	This limitation is noted. International protection means status in the State either – (a) as a refugee, on the basis of a refugee declaration, or (b) as a person eligible for subsidiary protection, on the basis of a subsidiary protection declaration; This is fully understood and will be complied with in full.
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.	This is fully understood and will be complied with in full.

Table 1 - Exempted Development Class 20F Conditions and Limitations

Referring to Article 9(1) of the Planning and Development Regulations 2001 (as amended) and the various restrictions set out within that section, the only restrictions considered potentially relevant to the proposal are set out below:

- a) *If the carrying out of such development would –*
- i. *Contravene a condition attached to a planning permission under the Act or be inconsistent with any use specified in a permission under the Act,*
 - ii. *Consist of or comprise the formation laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4metres in width,*
 - iii. *Endanger public safety by reason of traffic hazard or obstruction of road users,*
 - viii. *Consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,*
 - viiB. *Comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.*

In response to Article 9 and having reviewed the subject proposal against the criteria outlined above, we conclude that the proposal does not contravene a condition attached to any previous planning applications pertaining to the subject site. We note the inclusion of the Final Grant of permission associated with Reg. Ref. 02/77419 enclosed as Appendix E in this regard.

The proposal does not involve the formation, laying out or material widening of a means of access to a public road.

The change of use from hotel to Temporary International Protection Accommodation will comply with all requirements of the Department of Justice, Home Affairs and Migration. It is therefore considered that no impact to traffic safety or public safety is likely to occur as a result.

The proposal does not require appropriate assessment. It is not considered that the proposed development will have a significant impact on the integrity of any European sites.

The temporary change of use from hotel to Temporary International Protection Accommodation will not consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure, or a structure the use of which is an unauthorised use. We note specifically that there are no physical works proposed to the buildings that comprise extension, alteration, repair or renewal. In addition, we note that the most recent use of the buildings is hotel.

Accordingly, the temporary use of the building by or on behalf of the Minister Justice, Home Affairs and Migration to accommodate or support persons seeking international protection is considered to be **'exempted development'**.





Conclusion

The content of this report is offered in assistance to Limerick City and County Council in providing a Section 5 Declaration within the 4-week period of receipt of this request.

The applicant is now seeking a declaration from Limerick City and County Council under the provisions of Section 5 (2) (a) of the Planning and Development Act to determine:

“That the temporary change of use from hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).”

It is our professional planning opinion that the proposal outlined above is ‘exempted development’ in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).

We ask the Planning Authority to concur with the following points:

- The proposed temporary use of the buildings falls within Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and would therefore, constitute exempted development.
- None of the restrictions on exemption set out in Article 9 (1) of these Regulations apply in this instance.

We trust the above documentation is in order. If further information is required to assist in the Declaration, Brock McClure Planning and Development Consultants will respond accordingly.

We look forward to a favourable decision in due course.





6 Appendix A – Existing and Proposed Contract with the Department

Existing Contract

An Roinn Leanaí, Comhionannais,
Míchumais, Lánpháirtíochta agus Óige
Department of Children, Equality,
Disability, Integration and Youth



AGREEMENT

BETWEEN

The Minister for the Department of Children,
Equality, Disability, Integration and Youth

AND

Birch Rentals Limited, CRO: 505742

FOR EMERGENCY ACCOMMODATION FOR PERSONS
SEEKING INTERNATIONAL PROTECTION

AT

**Hanratty's House, Glentworth Street, Limerick,
V94 XF38**

FOR THE PERIOD

14th of August 2024 to 13th of August 2026

SEIRBHÍS AN ISOLÁTHAIR COSAINT IDIRNÁISIUNTA, BOSCA O. P. 11487, BAILE ÁTHA CLIATH 2
INTERNATIONAL PROTECTION PROCUREMENT SERVICES, P.O. BOX 11487, DUBLIN 2
T +353 1 4163200
E: pps@equality.gov.ie





THIS AGREEMENT IS MADE THE 14th OF AUGUST 2024 BETWEEN

The Minister for Children, Equality, Disability, Integration and Youth, of Block 1, Miesian Plaza, 50 – 58 Lower Baggot Street, D02 XW14 (the "Client");

And

Birch Rentals Limited, of The Old Creamery, Drombanna, Co. Limerick, V94 P825 (the "Contractor")

(each a "Party" and together "the Parties").

Background

The Client has adopted a programme for the provision of accommodation to those seeking international protection within the State and has allocated this task to the International Protection Procurement Services (IPPS) and the International Application Service (IPAS). IPPS and IPAS are constituent parts of the Department of Children, Equality, Disability, Integration and Youth and references to the Client shall be deemed to include the Department, IPPS, IPAS and the Client's employee(s), agent(s), inspector(s), subcontractor(s) or such other duly appointed representative(s).

IT IS HEREBY AGREED by and between the Parties hereto as follows: -

- A. The Contractor hereby agrees to provide the accommodation and other services hereinafter described (the "Services") to the Client and the Client's nominees in accordance with this Agreement (the "Agreement") for the use by persons identified by the Client as needing accommodation (the "Resident(s)"), which said accommodation and other services shall be to a standard that is reasonable having regard to the emergency daily needs of those seeking international protection at Hanratty's House, Glentworth Street, Limerick, V94 XF38 (the "Centre").
- B. Subject to the terms and conditions of this Agreement, the Client agrees to pay to the Contractor the charges as stipulated in Appendix II ("the Charges"). The Charges are inclusive of VAT which shall be due at the rate applicable on the date of the VAT invoice.
- C. For the purposes of this Agreement, the Client's Contact is the IPPS team at 2nd Floor, Montague Court, 7-11 Montague Street, Dublin 2; the Contractor's Contact is JP Ryan of Birch Rentals Limited, The Old Creamery, Drombanna, Co. Limerick.





An Roinn Leanaí, Comhionannais,
Míchumais, Lánpháirtíochta agus Óige
Department of Children, Equality,
Disability, Integration and Youth



Dated the 22 day of October 2024

Signed for and on behalf
of the **MINISTER FOR** Department of Children, Equality, Disability, Integration and
Youth.

Wine

FOR & ON BEHALF of BIRCH RENTALS Ltd
JP Ryan

Signed for and on behalf
of the Contractor





Proposed Contract (Not yet in place)

An Roinn Dlí agus Cirt,
Gnóthai Baile agus Imirce
Department of Justice,
Home Affairs and Migration



AGREEMENT

BETWEEN

**The Minister for Justice, Home Affairs and
Migration**

AND

Birch Rentals Ltd., 505742

**FOR EMERGENCY ACCOMMODATION FOR PERSONS
SEEKING INTERNATIONAL PROTECTION
AT**

**Hanratty's Hotel, Hanratty's House, Glentworth
Street, Limerick, V94XF38
FOR THE PERIOD**

14/08/2026 to 13/08/2027

*Seirbhísí an tSoláthair Chosaint Idimáisiúnta
International Protection Procurement Services*

*An Roinn Dlí agus Cirt, Gnóthai Baile agus Imirce
Department of Justice, Home Affairs and Migration*

*51 Faiche Stiabhna, Baile Átha Cliath 2, D02 HK52
51 St Stephen's Green, Dublin 2, D02 HK52*





7 Appendix B – Circular Letter PL 09/2023

An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreacht
Department of Housing,
Local Government and Heritage



To: Directors of Planning in each local authority

CC: Chief Executives
Senior Planners
An Bord Pleanála
Office of the Planning Regulator
Directors of Regional Assemblies

Circular Letter PL 09/2023

4 August 2023

**Re: Planning and Development (Exempted Development)(No. 4) Regulations 2023
(S.I. 376/2023)**

I have been asked by Mr. Darragh O'Brien, T.D., Minister for Housing, Local Government and Heritage to advise that he has signed the above set of Regulations which have immediate effect. A copy of the Regulations is attached for information.

Following engagement with the Department of Children, Equality, Disability, Integration and Youth (DCEDDIY) and as a response to the ongoing unprecedented demand for the accommodation of those seeking international protection, regulations were introduced on the 29 November 2022 (S.I. 605 of 2022) to assist the Minister for Children, Equality, Disability, Integration and Youth (MCEDIY) in meeting Ireland's legal obligation to provide accommodation to international protection applicants.

Those Regulations amended Part 1 of Schedule 2, entitled 'Exempted Development - General', to the Planning and Development Regulations 2001, as amended, to insert a new Class 20F exemption. This new Class permitted the change of use of certain specified structures for the purpose of providing the necessary facilities and accommodation for international protection applicants.

Teach an Chustaim, Baile Átha Cliath 1, D01W6X0
Custom House, Dublin 1, D01 W6X0
T +353 1 888 2000 | planning@housing.gov.ie
www.gov.ie/housing





Those provisions were a temporary time-limited measure and were due to expire on 31 December 2024, with the use of the specified structures ceasing to apply on that date.

Planning and Development (Exempted Development)(No. 4) Regulations 2023 (S.I. 376/2023)

The new Planning and Development (Exempted Development)(No. 4) Regulations 2023 (S.I. 376/2023) which are the subject of this Circular extend the exemption provided by S.I. 605 of 2022, from 31 December 2024 to 31 December 2028. This is to allow DCEDIY greater flexibility in agreeing leases with potential accommodation providers for international protection applicants. In addition, in order to provide greater flexibility to DECDIY in how they use the accommodation they source, the new regulations extend the scope of the exemption provided by S.I. 605 of 2022 to now also include the provision of accommodation in the listed structures below to persons displaced by the Russian invasion of Ukraine, in addition to the structures which are already exempted for this purpose under S.I. 306 of 2022 – the European Union (Planning and Development)(Displaced Persons from Ukraine Temporary Protection) Regulations 2022.

There is no change to the structures listed from that which was provided by SI 605 of 2022, those structures being:

“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.”





Under the regulations, the use for the purposes of accommodating displaced Ukrainian 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, while the use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028. The temporary protection for Ukrainians will remain in place until such time as the EU decides otherwise.

Notification Requirement

As with the previous regulations in this regard, a planning authority must be notified in writing of the details of the development prior to the commencement of the proposed change of use.

Compliance with Building Regulations

In this context, as with the planning system generally, neither the granting of planning permission or the provision of an exemption from the requirement to obtain planning permission, removes the requirement to comply with any other code, particularly in relation to the Building Regulations, including fire safety. The aim of the Building Regulations is to provide for the safety and welfare of people in and about buildings. It is important to note in the context of these exempted development provisions that compliance with the Building Regulations 1997 to 2021 must still be achieved and Building Control procedures will still apply.

Under the Building Control Acts 1990 to 2020, primary responsibility for compliance with the requirements of the Building Regulations rests with the owners, designers and builders of buildings. In particular, the Building Control (Amendment) Regulations 2014 (where they apply) require greater accountability in relation to compliance with Building Regulations in the form of statutory certification of design and construction by registered construction professionals and builders, lodgement of compliance





documentation, mandatory inspections during construction and validation and registration of certificates.

Any queries in relation to this Circular letter should be emailed to planning@housing.gov.ie.

Terry Sheridan

Principal

Planning Policy and Legislation

Attachment for information:

- Planning and Development (Exempted Development)(No. 4) Regulations 2023





8 Appendix C - Fire Safety Certificate

Limerick City and County Council
Fire & Rescue Service
County Hall, Dooradoyle, Co. Limerick
Tel: +353-61-556859
Fax: +353-61-583834
Website: www.limerick.ie/council



BUILDING CONTROL ACTS, 1990 and 2007 FIRE SAFETY CERTIFICATE

Reference No. in Register: 20/FSC/O/1016

Name of Building Control Authority: Limerick City and County Council

TO: Mr. J.P. Ryan

ADDRESS: Birch Rentals Ltd., The Old Creamery Building, Drombanna, Co. Limerick

Application for a Fire Safety Certificate (Ref. No.: F8062)

FOR: material alteration to basement level and ground floor level of existing building

AT: Hanratty House, Direct Provision Centre(hostel), Glentworth Street,
Limerick.

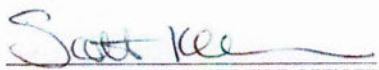
Limerick City and County Council hereby certify that the building or works to which the application relates, will, if constructed in accordance with the plans, calculations, specifications and particulars submitted on 23rd September, 2019, 20th December, 2019 and 23rd December, 2019, comply with the requirements of Part B of the Second Schedule to the Building Regulations, 1997 to 2019. In considering the application, no assessment has been made as to whether the building or works will comply with the other requirements of the Second Schedule to the Building Regulations, 1997 to 2019. This certificate is **GRANTED** subject to the following condition(s).

1. In all instances when details have not been specified on drawings and plans submitted, the development is to comply, in all respects with Part B of the Building Regulations, 1997 to 2019.

Reason: In the interest of fire safety.

Dated this 1st, day of February, 2020

Signed:


SENIOR ASSISTANT CHIEF FIRE OFFICER

Note: An applicant who is dissatisfied with a decision of the Building Control Authority may appeal to An Bord Pleanála. An appeal may be made within a period of one month beginning on the day of the decision of the Building Control Authority on an application.

FSCOIO





9 Appendix D – List of Interactions with LCC

Hi JP,

Below is a list of interactions with LCC:

2024 – Present – Weekly emails with Integration Newsletters for our residents from the Local Authority Integration Team (LAIT), Limerick City and County Council (LCC). Other emails re Volunteering opportunities etc

2023 – Present – Hanratty House soccer team 'Hanratty House Warriors' have taken part in the Intercultural Soccer Tournament each year run by LCC

2025 – Present – Jenny Walsh, Welfare Officer, taking part in the quarterly TUSLA IPAS network meetings of which LCC is part of.

2025 – Present – Jenny Walsh communication and meeting in Hanratty House with Community Health Nurse Brian Fitzgerald and Denis O'Sullivan, Limerick Homeless Action Team (Part of LCC)

27.01.26 – Jenny Walsh - Meeting at City Hall with LAIT, LCC – Migrant Health and Wellbeing – Hanratty House asked to take part in this Migrant Forum. Other Migrant Stakeholders present – Doras, GOSHH, River House Accommodation Centre, Women's Collective

07.04.26 - LAIT drop in meeting with Resident's in Hanratty House.

Kind regards,

Jenny Walsh

Welfare Officer

Hanrattys

Glentworth Street, Limerick, V94 XF38

Phone: 061 774362





10 Appendix E – Final Grant of Permission

LIMERICK CITY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000

NOTIFICATION OF A GRANT OF A PERMISSION

TO: Mr. J.P. Ryan
John G. McMahon & Partners,
2 Michael Street,
Limerick.

Planning Register Number: P.02/419

Application By: Mr. J.P. Ryan
John G. McMahon & Partners,
2 Michael Street,
Limerick.

Application Receipt Date: 02/12/2002

Further Information Received Date: 18/06/2003

For: 1. Demolish existing mews house no 7 to laneway at rear and construct new building comprising basement store, ground floor toilets and store and five floors over comprising new fire escape and bedrooms. 2. Construct new bedrooms on three floors over existing bedroom block to rear laneway. 3. Carry out internal alterations and extensions comprising new fire escape, new lift, demolition of internal wall and redesign of dining area, redesign kitchen area, relocation of toilets etc. 4. Construct 5 no new floors over ground comprising bedrooms, laundry and store, fire escape and lift facilities to internal 'well' area. 5. New pitched roof to front comprising bedroom block. **AT 5 & 7 Glentworth Street, Limerick.** IN ACCORDANCE WITH THE PLANS SUBMITTED WITH THE APPLICATION.
Subject to the 10 conditions set out hereunder.

CONDITION

1. That the proposed development be carried out in accordance with the plans and particulars lodged with the application as amended by the receipt of further information dated 4/2/03, 5/3/03 and 25/6/03 and by any condition attached hereto.
2. That the developer contribute €28,522 to the Limerick City Council towards the improvements of the City Public Water Supply including new arterial mains and treatment plant, and the provision of new amenity facilities and upgrading of the existing amenities including public open spaces and upgrading of public services including foul sewer and surface water sewer in the area and the upgrading of roads car parking, transport, infrastructure and public facilities. Such contribution to be made at the commencement of the development.

REASON

1. To clarify the nature and extent of the proposed development.
2. Limerick City Council have recently expended in excess of €10million on improvements to the City Public Water Supply, including new arterial mains and treatment plant and it is necessary that further improvements to a drainage facility, public infrastructure amenity and ancillary works to encourage development in this area and it is considered necessary and proper that the developer contribute the sum indicated towards such works that facilitate the development.





P.02/419

3. That details of the external finishes including a sample colour of [tiles, brickwork, etc.] be submitted and agreed with the Planning Authority prior to construction.
 4. That the applicant shall ascertain and strictly adhere to the requirements of the Sanitary Services section in the course of the proposed development. In particular this shall include the provision of a pulse water meter to serve the proposed development.
 5. The applicant shall resurface the lane to the satisfaction of the roads and traffic section.
 6. That all surface water (including surface water on the driveway) be discharged to drain inside the curtilage of the applicant's site and not onto the public road.
 7. That full details of the external signage be submitted and approved by the Planning Authority by way of a separate planning application.
 8. That suitable grease trap be fitted on the drains from the food preparation area prior to connection to the main system, such grease trap to be so located as to allow for adequate access for maintenance.
 9. That the necessary reinstatement works, repairs, strengthening and dishing of footpaths, protection of services, replacement of street furniture - signs including no right-hand turn signs, markings etc. and lighting columns and traffic control to be carried out at developer's expense in consultation with City Council's Roads Department.
 10. That adequate security by way of a bond from an approved Insurance Company or Bank or agreed cash deposit to ensure satisfactory completion of the proposed development of the access road, parking facilities, sanitary services, public lighting etc. be provided to the Planning Authority the amount of the bond/cash deposit is €50,000.
3. In the interest of proper construction, development and amenity and to provide for agreed external finishes including colour.
 4. In the interest of the proper planning and sustainable development of the area.
 5. In the interest of orderly development
 6. In the interest of proper construction and development.
 7. In the interest of amenity and proper development, no details of signage submitted.
 8. In the interest of proper construction and development.
 9. In the interest of proper planning and development, to allow for the necessary reinstatement work required to service the development.
 10. In the interest of proper planning and development and construction, to ensure satisfactory completion of the development.

Signed on behalf of Limerick City Council.



DIRECTOR OF SERVICE

DATE: 26/8/03



Report on application under Section 5 of the Planning and Development Act 2000 (as amended)

File Reference number	EC-127-26
Applicant(s)	Birch Rentals Ltd
Location	Hanratty House, 5 Glentworth Street, Limerick, V94 XF38

Description of Site and Surroundings:

The site contains Hanratty Hotel which varies in height from 4 to 6 storeys. The subject site is located in Limerick City centre where it measures approximately 0.04 ha. The site can be accessed from Glenworth Street.

Proposal:

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or are not exempted development:

That the temporary change of use from hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).

This Section 5 declaration includes the following:

- Application form
- Site location map
- Site layout plan
- Existing floor plans and elevations
- Planning Statement from Brock McClure
- Associated Contracts

Planning History:

Subject site:

05/770133 Conditional Permission - Permission for the following development; 1. Change of use of Hotel to use as offices. 2. Construction of new floor for use as offices at third floor level. 3. Fit new windows to side and rear elevations and to first floor link across laneway to front. 4. Redesign of front entrance area to form open area into basement with connecting external stairs to same. 5. Carry out internal refurbishments including installation of a new lift.

02/770419 Conditional Permission - 1. Demolish existing mews house no 7 to laneway at rear and construct new building comprising basement store, ground floor toilets and store and five floors over comprising new fire escape and bedrooms. 2. Construct new bedrooms on three floors over existing bedroom block to rear laneway. 3. Carry out internal alterations and extensions comprising new fire escape, new lift, demolition of internal wall and redesign

of dining area, redesign kitchen area, relocation of toilets etc. 4. Construct 5 no new floors over ground comprising bedrooms, laundry and store, fire escape and lift facilities to internal 'well' area. 5. New pitched roof to front comprising bedroom block.

06/770460 Conditional Permission - revisions to planning permission P05/133 already approved comprising (A) general internal revisions to floor layout (B) revision to rear and side elevations and (C) extension to existing floor area to rear and side of building at fourth floor level of 170 square meters.

Adjacent:

09/770253 Permission Refused - Permission to construct a canopy to the Glentworth Street facade of the White House Bar.

04/770079 Conditional Permission - for change of use of existing basement function room to restaurant

Enforcement History:

N/A

Relevant An Coimisiún Pleanála referrals:

N/A

Assessment:

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 2(1) in this Act, except where otherwise requires –

‘**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.

‘**structure**’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(b) in relation to a protected structure or proposed protected structure, includes—

(i) the interior of the structure,

(ii) the land lying within the curtilage of the structure,

(iii) any other structures lying within that curtilage and their interiors, and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

Section 3(1) defines ‘**development**’ as ‘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’.

The change proposed under this application is the use of a hotel to provide emergency accommodation for persons seeking international protection. While no works are required, the question then is whether the proposal would be a material change of use as per Section 3(1) of the Planning and Development Act 2000 (as amended).

Is the proposal exempted development?

The proposal for the change of use is to be assessed against Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Class 20F states: *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.*

The building has remained in continuous temporary operation as IPAS since 2009 and it has been under continuous contract with the government on a temporary basis. This application refers to the change of use only and will not require any works or reconfiguration internally or externally to the building.

1. *The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.*

The document on file confirms that the applicant has an existing contract with IPAS on behalf of the Minister for Children, Equality, Disability, Integration and Youth to persons seeking International Protection. The applicant attached a copy of this contract. It expires 13th August 2026 and they state they are in the process of negotiating another contract.

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.*

This limitation was noted by the applicant and confirmed that the applicant has an existing contract with IPAS on behalf of the Minister for Children, Equality, Disability, Integration and Youth to persons seeking International Protection.

3. *The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.*

The applicant confirmed that the use will be discontinued when required.

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.

The applicant confirmed that this will be complied with.

5. *The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.*

The applicant noted this limitation.

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.*

The applicant noted this limitation.

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).*

The applicant has noted this limitation.

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.*

The applicant has noted this limitation.

Article 9 Restrictions

Planning and Development Regulations 2001 – 2025 Article 9(1) 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,	N/A
(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,	N/A
(iii) endanger public safety by reason of traffic hazard or obstruction of road users,	N/A

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,	
(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which 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, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area 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,	N/A
(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,	N/A
(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,	N/A
(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,	N/A
(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any	N/A

excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,	
(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,	N/A
(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.	N/A
(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,	N/A
(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area 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,	N/A
(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,	N/A
(xi) obstruct any public right of way,	N/A
(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area 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 and the development would materially affect the character of the area,	N/A
(b) in an area to which a special amenity area order relates, if such development would be development:—	

(i) of class 1, 3, 11, 16, 21, 22, 27, 28, 29, 31, (other than paragraph (a) thereof), 33 (c) (including the laying out and use of land for golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), 39, 44 or 50(a) specified in column 1 of Part 1 of Schedule 2, or	N/A
(ii) consisting of the use of a structure or other land for the exhibition of advertisements of class 1, 4, 6, 11, 16 or 17 specified in column 1 of Part 2 of the said Schedule or the erection of an advertisement structure for the exhibition of any advertisement of any of the said classes, or	N/A
(iii) of class 3, 5, 6, 7, 8, 9, 10, 11, 12 or 13 specified in column 1 of Part 3 of the said Schedule, or	N/A
(iv) of any class of Parts 1, 2 or 3 of Schedule 2 not referred to in subparagraphs (i), (ii) and (iii) where it is stated in the order made under section 202 of the Act that such development shall be prevented or limited,	N/A
(c) if it is development to which Part 10 applies, unless the development is required by or under any statutory provision (other than the Act or these Regulations) to comply with procedures for the purpose of giving effect to the Council Directive,	N/A
(d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.	N/A
Article 9(2) Sub-article (1)(a)(vi) shall not apply where the development consists of the construction by any electricity undertaking of an overhead line or cable not exceeding 100 metres in length for the purpose of conducting electricity from a distribution or transmission line to any premises.	N/A
Article 9 (3) For the avoidance of doubt, sub-article (1)(a)(vii) shall not apply to any operation or activity in respect of which a Minister of the Government has granted consent or approval in accordance with the requirements of regulation 31 of the Habitats Regulations 1997, and where regulation 31(5) does not apply.	N/A

Appropriate Assessment

Having regard to the nature and scale of the proposed development and the absence of proximity or connectivity to a Natura 2000 European Site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site. An appropriate assessment screening report and determination is attached to this report.

Environmental Impact Assessment

Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations it has been concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

Conclusion/Recommendation

Hanratty house is a hotel and is a type of building listed in Class 20F and there are no works proposed to accommodate the change of use. The proposal detailed on the application and plans submitted is considered to come within the scope of Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended);
- (b) Article 6,9 & Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- (c) The plans and particulars submitted with the application received on the 22nd of July 2026

It is therefore considered that the said proposal is development and is exempted development under Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Student Planner	Conor Deering	Date: 24/07/2026
Signature:		
Senior Executive Planner	Gráinne O'Keeffe	Date: 17/08/2026
Signature		

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-127-26
(e) Brief description of the project or plan:	That the temporary change of use from hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended)
(e) Brief description of site characteristics:	The site contains Hanratty Hotel which varies in height from 4 to 6 storeys. The subject site is located in Limerick City centre where it measures approximately

	0.04 ha. The site can be accessed from Glenworth Street.
(e) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(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 ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165 Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	275 m	N/A	N
004077 River Shannon and River Fergus Estuaries SPA	https://www.npws.ie/protected-sites/spa/004077	340 m	N/A	N

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	None. No direct encroachment or hydrological connection.
Operation 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	None. No direct encroachment or hydrological connection

- Presence of people, vehicles and activities - Physical presence of structures (e.g collision risk) - Potential for accidents or incidents	
In-combination/Other	N/A.

(a) 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	None. No direct encroachment or hydrological connection.

(a) (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.		
Given the sites size, no hydrological connection to any SAC/SPA, no encroachment on any SAC/SPA and the limited scale of the development proposed, an AA is not required.		
Conclusion: AA is not required.		
	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 and Date of Recommending Officer:	_____ 14/05/2026	
Signature and Date of the Decision Maker:	 _____ 17/08/2026	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-127-26
Development Summary:	That the temporary change of use from hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).
Was a Screening Determination carried out under Section 176A-C?	Yes. no further action required 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)		
Yes. specify class: [insert here] _		EIA is mandatory No Screening required
☒	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)		
☒	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): _[specify class & threshold here]_	EIA is mandatory No Screening required
Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _		Proceed to Part C
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
Signature and Date of Recommending Officer:  _____ 24/07/2026		
Signature and Date of the Decision Maker:		

G. M. Liddle.

17/08/2026



Comhairle Cathrach
& Contae **Luimnigh**
Limerick City
& County Council

An Roinn Pleanála
Comhairle Cathrach agus Contae Luimnigh
Bóthar Thuar an Daill
Tuair an Daill
Luimneach
V94 WV78

Planning Department
Limerick City & County Council
Dooradoyle Road
Dooradoyle
Limerick
V94 WV78

t: 061 556 000

DEVELOPMENT MANAGEMENT, PLANNING

REG POST:

Birch Rentals Ltd
c/o Brock McClure,
63 York Road,
Dún Laoghaire,
A96 T0H4

EC/127/26

19 August 2026

Re: Declaration under Section 5

Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,

(for) Senior Planner,
Development Management

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2026/1049

File Ref No. EC/127/26

SUBJECT: Declaration under Section 5.
Planning and Development Act 2000 as amended
Planning and Development Regulations 2001 as amended

RE: **Temporary change of use from hotel to International Protection Accommodation at Hanratty House, 5 Glentworth Street, Limerick.**

ORDER: Whereas by Director General's Order No. DG/2026/058 dated 25th May 2026, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Grainne O'Keeffe, Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

 Now therefore pursuant to the delegation of the functions aforesaid, I, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Conor Deering, Student Planner dated 24/07/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Birch Rentals Ltd, c/o Brock McClure, 63 York Road, Dún Laoghaire to state that the works as described above is

Development and is Exempt Development.

Signed



SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date





Comhairle Cathrach
& Contae **Luimnigh**
Limerick City
& County Council

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Planning Department
Limerick City & County Council
Dooradoyle Road
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Limerick
V94 WV78

t: 061 556 000

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/127/26

Name and Address of Applicant: Birch Rentals Ltd, The Old Creamery Building, Drombanna, Co. Limerick.

Agent: Brock McClure, 63 York Road, Dún Laoghaire

Whether the temporary change of use from hotel to International Protection Accommodation at Hanratty House, 5 Glentworth Street, Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 22nd day of July 2026.

AND WHEREAS the Planning Authority has concluded that the temporary change of use from hotel to International Protection Accommodation at Hanratty House, 5 Glentworth Street, Limerick **DOES** come within the scope of exempted development under Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). See Report attached.

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is Exempted Development.**

Signed on behalf of the said Council 

Date: 19.8.2026

NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Coimisiún Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.