

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01V902
10th November 2023

RE: Section 5 (4) Referral by Wexford County Council to An Bord Pleanála to determine if the former Great Southern Hotel, Rosslare Harbour, County Wexford.

Wexford County Council is seeking the Bord's determination if the use of the Great Southern Hotel, Rosslare County Wexford use for accommodation under international protection is development and exempted development. In particular Wexford County Council wishes to refer the following questions for determination.

1. Is the intensification or increased occupancy of bedrooms covered under Planning and Development (Exempted Development)(No. 4) Regulations 2023 (S.I.376/2023) when consent for the nursing home was based on one occupant per room.
2. Can the part use of the building for accommodation for those seeking international protection, which is undergoing renovation for use as a nursing home, be considered exempted development.
3. Can exempted development status accrue when the building is under extensive renovations commenced under an approval permitted as a nursing home but not completed.

Background History

The Great Southern Hotel in Rosslare Harbour had been closed and become derelict for a number of years. In 2021 a planning application (reference 20210283) was made by Domal Developments in March 2021 and granted permission for

Permission for change of use of former hotel to 90 bedroom nursing home including dayrooms, offices, meeting rooms, mortuary, laundry, kitchen, dining



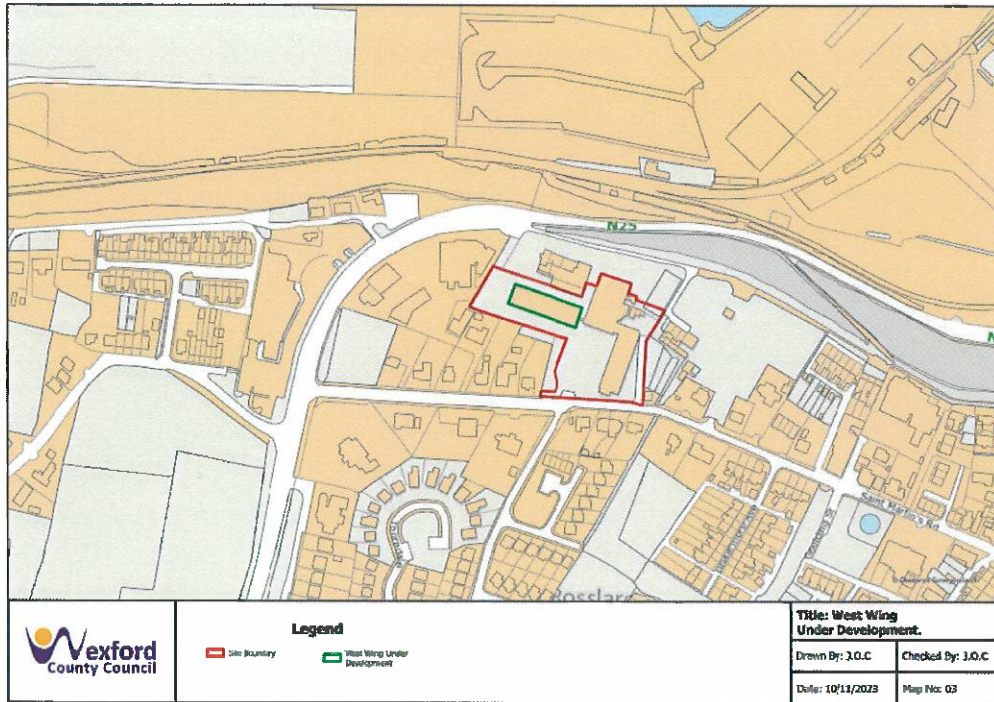
room, staff rooms, various bathrooms, treatment room, and ancillary accommodation, 24 one bedroom assisted living apartments and 1 studio apartment (total 25 apartments), 2nd floor extension to existing north and west wings, single storey extensions at south and east of existing building, 2 storey extensions at south and west of existing building, 3 storey extensions to south and west of existing building, alterations to all elevations, external steps and ramps, front boundary wall with railing and gates at St. Martin's Road, walled service area, new boundary fencing with gate to northern boundary, ancillary site works and car-parking for 77 cars

In May 2022 an application (reference 20220711) was made by Amhola Rosslare Nursing Home Trading Limited which was granted for

Permission for alterations to the 90 bedroom nursing home scheme permitted by Wexford County Council (Ref: 2021/0283). The proposed works include: 1) The demolition of part of the rear of the hotel building including the existing ESB substation; 2) Modifications to the internal layout of the building; 3) Modifications to the elevations including changes to openings and facade materials and the construction of rooftop plant rooms; 4) The construction of a plant room and waste management enclosure; 5) All associated car parking, landscaping and site development works. Access to the nursing home will be provided via St. Martins Road located to the south.

A commencement notice was received by the Building Control Section of the County Council and validated on 16th May 2023 to commence works on the Nursing Home (a Certificate of Completion has not been received at the time of writing and works would be outstanding).

A second 7 day commencement notice was received on 4th October 2023 for use of as accommodation for those seeking internal protection for part of the development (the area marked green on the plans below).



Intensification

The development as presented to the County Council is to use part of the building to house up to 170 individuals in 44 bedrooms to replace 50 bed spaces in the approved 50 rooms.

This significant intensification of the use of buildings would not appear to be covered in S.I.376/2023. This intensification is likely to have a material impact. For example on refuse storage and disposal water & public sewage services in addition to the needs on social infrastructure. There are likely to be higher demand on transportation, car parking cycle parking.

The use of part of a building

The building is undergoing works for construction as a nursing home as permitted under the planning permissions. It would appear that the works to provide accommodation for persons seeking international protection will be completed in advance of the nursing home and would effectively be accommodated on a building site, which is contrary to the phasing as set out in the planning permission (phase 1 related to the conversion of the complete hotel, phase 2 related to the new build elements).

Therefore it is not clear if this scenario is covered under the relevant exemptions.

Exempted development application to works under construction.

It is noted from a number of cases that An Bord Pleanála does not consider that exempted development applies to developments under construction. Therefore, it is not clear if S.I.376/2023 can be availed of when construction works are still continuing on the site.

Conclusion

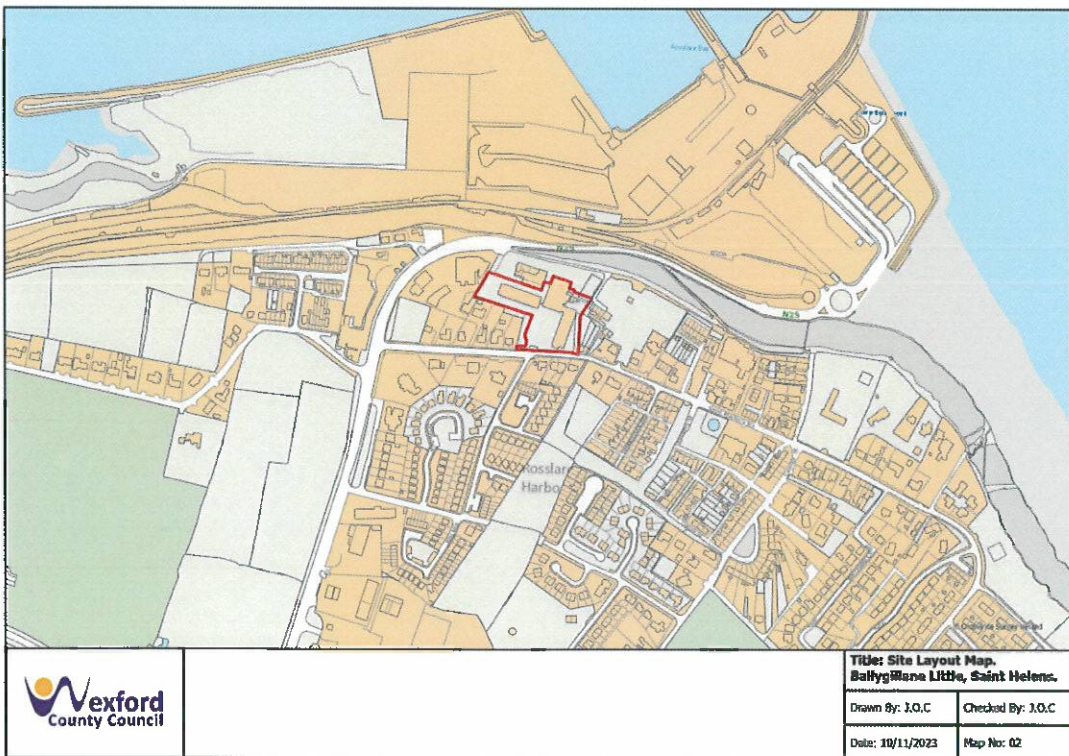
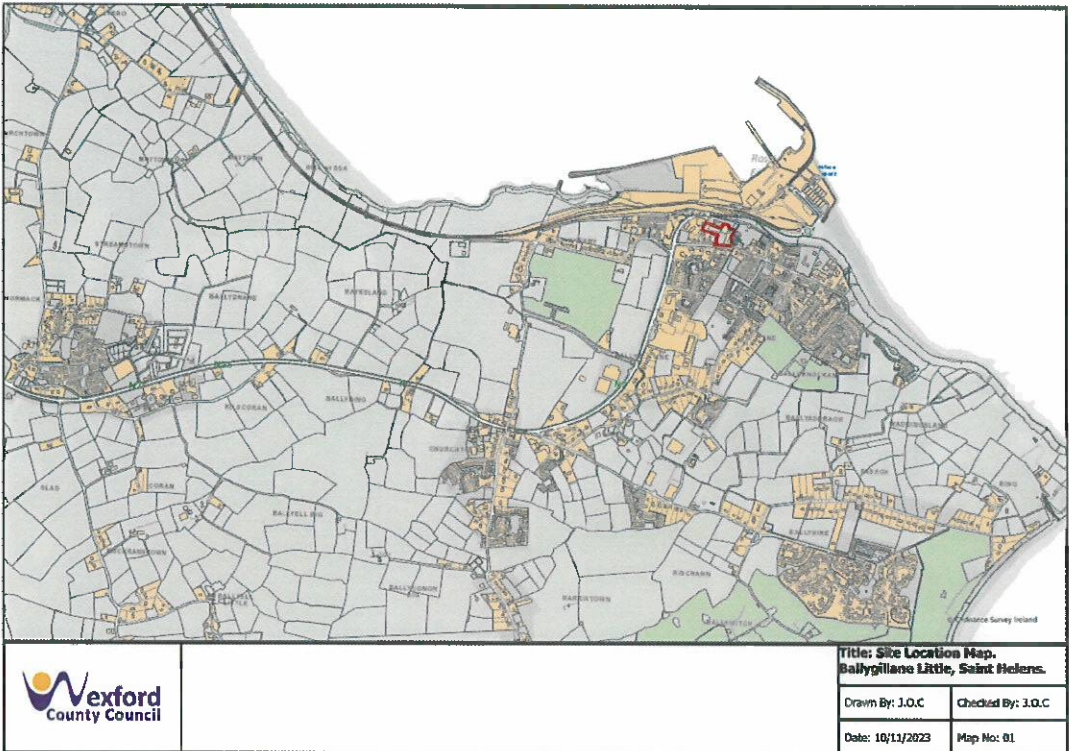
Wexford County Council therefore requests the Bords determination on the matters set out above.

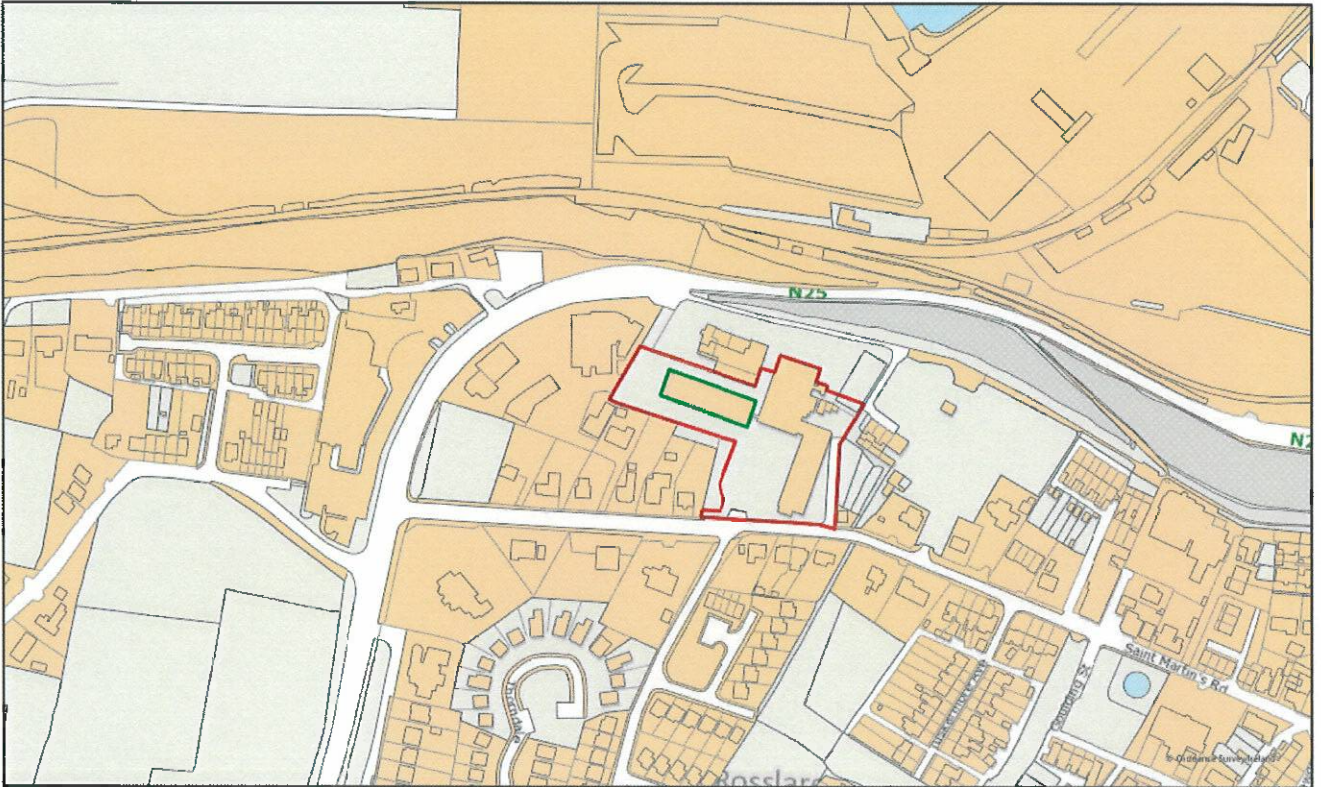
Diarmuid Houston
Senior Planner

10-11-23

Appendix

Maps





Legend

- Site Boundary
- West Wing Under Development

Title: West Wing Under Development.

Drawn By: J.O.C

Checked By: J.O.C

Date: 10/11/2023

Map No: 03