



An  
Bord  
Pleanála

**Board Direction**  
**ABP-300996-18**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/10/2018.

The Board decided, as set out in the following Order, that

Board Order as follows:-

**WHEREAS** a question has arisen as to whether the current use of the property as short term lettings based on internet bookings is a change of use from the established use of short term lettings as bedsits and, if it is, whether it is a material change of use:

**AND WHEREAS** Dolores O'Donoghue requested a declaration on this question from Dublin City Council and the Council issued a declaration on the 25<sup>th</sup> day of January, 2018 stating that the matter was development and was not exempted development:

**AND WHEREAS** Dolores O'Donoghue referred this declaration for review to An Bord Pleanála, on the day of 21<sup>st</sup> day of February, 2018.

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

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Article 5 and 10 of the Planning and Development Regulations, 2001, as amended,
- (c) The following submissions:
  - (i) The referrers submission,
  - (ii) The planning authority's assessment and declaration,
- (d) The report of the Inspector,
- (e) The pattern of development in the area:

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) The use of the building for a short-term holiday letting based on internet bookings is a change of use from the current established use for lettings for bedsits, in the light of the different matters that it raises for planning assessment compared to those which would have arisen for original use as residential accommodation, including intensification of use and associated disturbance at neighbourhood level and as the building is exclusively used for commercial short term letting purposes on a year round basis, is a material change of use and is thus development, and
- (b) That neither the Planning and Development Act, 2000, as amended, nor the Planning and Development Regulations, 2001, as amended, recognise the said material change of use to be exempted development.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the change of use of the property from the established use of lettings as bedsits to short term lettings based on internet bookings is development and is not exempted development.

**Board Member:**

**Date:** 17/10/2018

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Terry Prendergast