



An
Coimisiún
Pleanála

Commission Order

ABP-321987-25

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4139/24

Appeal by Bachelor Inn Trading Company Limited care of SSA Architects of 42 Haddington Road, Ballsbridge, Dublin in relation to the application by Dublin City Council of the terms of the Development Contribution Scheme made for the area in respect of condition numbers 2 and 3 of its decision made on the 5th day of February, 2025.

Proposed Development: Development of a bar and 22-bed hotel in lieu of previously permitted bar and 28-bed hotel (in recently expired approved application reference number 3577/18). The works will consist of the subdivision of the two upper floors of the existing 'Smallmans Warehouse' into hotel bedrooms, as previously permitted, the conversion of the two upper floors to 'The Bachelor Inn' (protected structure) from function rooms to hotel rooms, as previously permitted, the conversion of the existing first floor of the middle portion of the property from licensed premises to hotel accommodation, as previously permitted, the construction of an additional 2nd floor to the existing two-storey middle portion of the property for hotel accommodation, as previously permitted, relocation of the toilets to the basement, as previously permitted, alterations to the shop front, including alterations to the ground floor windows and the reinstatement of the corner entrance to improve the entrance from Bachelors Walk, as previously permitted, the new proposal for the conversion of the ground floor of the existing 'Smallmans Warehouse' into dining

facilities, reception and kitchen facilities, all 3 Bachelors Way and The Bachelor Inn (a protected structure RPS reference number 327), 31 Bachelors Walk, Dublin.

Decision

The Commission, in accordance with section 48 of the Planning and Development Act 2000, as amended, considered that, based on the reasons and considerations set out below, the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 2 and directs the said Council to AMEND condition number 2 so that it shall be as follows for the reason set out. The Commission, in accordance with section 49 of the Planning and Development Act 2000, as amended, considered that, based on the reasons and considerations set out below, the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 3 and directs the said Council to AMEND condition number 3 so that it shall be as follows for the reason set out.

2. The developer shall pay to the planning authority a financial contribution of €8,895 (eight thousand, eight hundred and ninety-five euro) in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

3. The developer shall pay to the planning authority a financial contribution of €1,425 (one thousand, four hundred and twenty-five euro) in respect of the LUAS Cross City (St. Stephen's Green to Broombridge Line) Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

Reasons and Considerations

In respect of condition number 2, the Commission considered that the development contribution scheme for the area had been incorrectly applied and that only the increased floor area of 75 square metres is applicable for levies. Using the applicable rate of €118.60 for 75 square metres, the total due is €8,895.

In respect of condition number 3, the Commission considered that the development contribution scheme for the area had been incorrectly applied and that only the increased floor area of 75 square metres is applicable for levies. Section 12 of the Luas Cross City Section 49 scheme provides for a reduction of 50% for minor extensions to protected structures, where the extension is no greater than 50% of the total floorspace of the protected structure. The proposed development with an extension of 75 square metres to a building of 1,252 square metres complies with this criteria; therefore, using the applicable rate of 50% of €38 for a floor area of 75 square metres, the amount due is €1,425.

Mary Gurrie

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Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 25 day of June 2025.