



An  
Bord  
Pleanála

## Inspector's Report

### ABP-318161-23

<b>Development</b>	Change of use from office to short term accommodation.
<b>Location</b>	4 Inns Court, Winetavern Street, Dublin 8, D08 XY00
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	4210/23
<b>Applicant(s)</b>	Liam Farrell
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refusal
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Liam Farrell
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	Friday 3 <sup>rd</sup> May 2024
<b>Inspector</b>	Frank O'Donnell

## **1.0 Site Location and Description**

- 1.1. The subject appeal site is located at No. 4 Inns Court, Winetavern Street, the Liberties, Dublin 8. The site comprises an existing three and a half storey mid terrace office building on a stated site area of 112.46 sqm. The building fronts onto Winetavern Street to the east, a courtyard to the rear of no's 5 & 6 Winetavern Street to the north and St. Michael's Close to the rear/ west, which is a predominantly residential area. The subject building forms part of a block of other predominantly commercial office units. The building is stated to be vacant at present and has a stated overall floor area of 349.66 sqm.
- 1.2. The site is located within a Conservation Area and is also within Strategic Development and Regeneration Area (SDRA 15) Liberties and Newmarket Square. The site is also located within the medieval core of the City, in the historic City (as registered on the Register of Monuments and Places). Christchurch Cathedral lies within 25 metres to the south-east of the site. The offices of Dublin City Council are within 70 metres to the north-east.

## **2.0 Proposed Development**

- 2.1. The Proposed Development comprises the following:
  - Change of use from office to short term accommodation in the form of 4 no. short-stay apartment units, as follows:
    - Ground Floor: 1 no. one-bed (81 sqm);
    - First Floor: 1 no. two-bed (62 sqm);
    - Second Floor: 1 no. two-bed (62 sqm);
    - Third Floor: 1 no. studio (47 sqm).
  - The main enabling works include the following:
    - Internal modifications to accommodate the proposed short-term accommodation.

- Demolition of brick recessed opening to the front at third-floor level and replacement with new window opening with finish to match that as existing.
- At rear ground floor level, it is proposed to remove the existing garage door and to provide 1 no. new door access to facilitate a new bin store accessed from St. Michaels Close. It is also proposed to provide a new window to serve the living room of the 1 no. one-bed unit. No direct access is proposed to the development from St. Michael's Close.
- At rear first floor level it is proposed to remove an existing glazed screen door and to replace this with a new external access door. It is also proposed to remove the existing rear timber rail fence and to replace same with a glazed barrier.
- At rear second floor level it is proposed to remove 2 no. existing narrow windows and to replace them with 1 no. new window.
- All ancillary works, inclusive of planting to facilitate the development.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

3.1.1. The Planning Authority issued a decision to REFUSE planning permission on 18<sup>th</sup> September 2023 for the following reason:

1. *The proposed development provides for the physical conversion of the property for residential use with a permanent change of use to short-term tourist accommodation. The proposed development by itself, and by the precedent for which a grant of permission for it would set, would be contrary to the stated provisions of the City Development Plan 2022-2028 where the core principles of the Dublin Housing Strategy and Policy QHSN38 are to encourage the establishment of sustainable residential communities by ensuring a wide variety of housing typologies and tenures is provided throughout the city in accordance with the Housing Need Demand Assessment (HNDA). The HNDA recognises a high demand for long term residential rental properties such as apartments in Dublin City where the*

*emerging trend shows an increase of rental demand for this type of residential accommodation. Having regard to the short-term nature of this proposal, it is therefore considered that it would therefore be seriously injurious to the amenities of the area and as such, would be contrary to the proper planning and sustainable development of the area.*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The **Local Authority Planner** considered that the site is not unsuitable for residential development either by way of its physical constraints or due to environmental impacts such as noise. It was further considered by the Planner that a permanent change of use to a short-term tourist letting accommodation would result in the loss of potential housing stock in the inner city and would constitute the provision of a non-conforming use within the Z5 area. Finally, it was considered by the Local Authority Planner that the proposal was therefore not justified and that the presumption against such development in Section 15.14.3 of the Plan is not overcome.

#### 3.2.2. Other Technical Reports

- The **Transportation Planning Division** raise no objection to the proposed development subject to 3 no. conditions, as follows:
  1. *No doors shall open outwards onto the public footpath.*
  2. *All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.*
  3. *The developer shall be obliged to comply with the requirements set out in the Code of Practice.*
- The **Engineering Department – Drainage Division** raise no objection to the proposed development subject to 1 no. condition.

### 3.3. Prescribed Bodies

- Transport Infrastructure Ireland: The submission stated there are no observations to make. Further commentary noted the following:
  - *The proposed development falls within an area set out in a Section 49 Levy scheme for Light Rail. The Section 49 scheme lists several exemptions where the levy does not apply. If the above application is successful and not exempt, as a condition of the grant please include for the Section 49 Contribution Scheme Levy.*

### 3.4. Third Party Observations

- None

## 4.0 Planning History

### 4.1. Planning History

- **4854/23:** Permission for a change of use of the existing property from office to guesthouse accommodation use and associated site development works.

A Request for Further Information was issued on 29<sup>th</sup> January 2024, as follows:

1. *The information provided in the planning supporting statement is insufficient to allow the application to be fully considered. The applicant is requested to demonstrate that the proposal complies with Policy CEE28 of the City Development Plan 2022-2028 which sets out a range of criteria by which new visitor accommodation should be considered.*
2. *Having regard to the relevant provisions of Fáilte Ireland including 'The Guest House Classification Scheme' (2019) as outlined in the planning supporting statement, the applicant is requested to provide written confirmation from Fáilte Ireland that the Guesthouse proposal is eligible for registration by the National Tourism Development Authority, Fáilte Ireland.*

3. *Having regard to the 'The Guest House Classification Scheme' (2019) noted above, it is recommended that the proposal is amended to provide a dedicated, bedroom, bathroom and lounge facility is provided for the designated housekeeper and that these facilities are located separate from the reception area.*
  4. *The applicant is requested to submit an operational management plan for the tourist facility.*
  5. *It is noted that the first-floor terrace faces the row of residential properties on St. Michaels Close. The applicant is requested to demonstrate that residential amenities of these dwellings would not be impacted by way of a loss of privacy as a result of the proposed development.*
- **4287/23:** Permission for external design alterations to the rear ground, first and second floor levels. Permission also sought for a temporary 5-year change of use of the existing property from office to short-stay residential use through the provision of 4 no. short-stay apartment units. Permission was REFUSED on 4<sup>th</sup> October 2023 for the following reason:
    1. *The proposed development provides for the physical conversion of the property for residential use with a temporary permission sought for a change of use to short-term tourist accommodation. The proposed development by itself, and by the precedent for which a grant of permission for it would set, would be contrary to the stated provisions of the City Development Plan 2022-2028 where the core principles of the Dublin Housing Strategy and Policy QHSN38 are to encourage the establishment of sustainable residential communities by ensuring a wide variety of housing typologies and tenures is provided throughout the city in accordance with the Housing Need Demand Assessment (HNDA). The HNDA recognises a high demand for long term residential rental properties such as apartments in Dublin City where the emerging trend shows an increase of rental demand for this type of residential accommodation. Having regard to the short-term nature of this proposal, it is therefore considered that it would therefore be seriously injurious to the amenities of*

*the area and as such, would be contrary to the proper planning and sustainable development of the area.*

## 5.0 Policy Context

### 5.1. Development Plan

#### **Dublin City Development Plan, 2022 to 2028**

- 5.1.1. The Appeal site is zoned Z5 – ‘City Centre’ in the Dublin City Council Development Plan, 2022 to 2028. The relevant zoning objective for Z5 lands is: *‘To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity’*. Permissible uses which on Z5 zoned lands include Bed & Breakfast, Guesthouse, Hostel (Tourist), Hotel, Live-Work Units, Residential, Student Accommodation.
- 5.1.2. The Appeal site is located within the medieval core of the City, in the historic core (as registered on the Register of Monuments and Places). The Appeal site is also located within a Conservation Area.
- 5.1.3. Chapter 5 relates to Quality Housing and Sustainable Neighbourhoods and includes the following Policies and Objectives of relevance to the subject appeal:
- QHSN38: Housing and Apartment Mix

*‘To encourage and foster the creation of attractive, mixed use, sustainable residential communities which contain a wide variety of housing and apartment types, sizes and tenures, in accordance with the Housing Strategy and HNDA, with supporting community facilities and residential amenities. Further detail in regard to unit mix is set out in Chapter 15: Development Standards. Unit mix requirements for the Liberties and the North Inner City are set out in Section 15.9.1 and Table 37 of the Housing Strategy in Appendix 1.’*
- 5.1.4. Chapter 6 relates to City Economy and Enterprise and includes the following Policies and Objectives of relevance to the subject Appeal:

#### Policies

- CEE14: Quality of Place,

- CEE20 (Vacant Sites)
  - *(i) To engage in the ‘active land management’ of vacant sites and properties including those owned by Dublin City Council.*
  - *(ii) To engage proactively with land-owners, potential developers and investors with the objective of encouraging the early and high quality redevelopment of such vacant sites.*
  - *(iii) To encourage and facilitate the rehabilitation and use of vacant and under-utilised buildings, including their upper floors.*
  - *(iv) To promote and facilitate the use, including the temporary use, of vacant commercial space and vacant sites, for a wide range of enterprise including cultural uses.*
- CEE21: Supply of Commercial Space and Redevelopment of Office Stock, CEE26 (Tourism in Dublin),
- CEE28 (Visitor Accommodation)

- Visitor Accommodation

*To consider applications for additional hotel, tourist hostel and aparthotel development having regard to:*

- *the existing character of the area in which the development is proposed including local amenities and facilities;*
- *the existing and proposed mix of uses (including existing levels of visitor accommodation i.e. existing and permitted hotel, aparthotel, Bed and Breakfast, short-term letting and student accommodation uses) in the vicinity of any proposed development;*
- *the existing and proposed type of existing visitor accommodation i.e. Hotel Classification/Rating, Hostel Accommodation, Family Accommodation, Alternative Accommodation etc., in the vicinity of any proposed development;*



- *the impact of additional visitor accommodation on the wider objective to provide a rich and vibrant range of uses in the city centre including residential, social, cultural and economic functions;*
- *the need to prevent an unacceptable intensification of activity, particularly in predominantly residential areas;*
- *the opportunity presented to provide high quality, designed for purpose spaces that can generate activity at street level and accommodate evening and night-time activities – see also Chapter 12, Objective CUO38.*

#### Objectives

- CEEO1: Study on the Supply and Demand for Hotels, Aparthotels and Hostels:

5.1.5. Section 6.5.6 relates to Key Economic Sectors where under the heading of Tourism, Hotels and Events, the following is stated in relation to Short Term Accommodation *‘there will be a presumption against the use of houses or apartments for short-term lets in all areas of the city.’*

5.1.6. Chapter 11 relates to Built Heritage and Archaeology and includes the following Policies and Objectives of relevance to the subject Appeal:

5.1.7. Policies

- BHA9: Conservation Areas.

5.1.8. Chapter 13 relates to Strategic Development Regeneration Areas (SDRA) and includes the following Objectives, considered to be of relevance to the subject Appeal:

#### Objectives

- SDRAO1: (Overarching Principles and Vision)

5.1.9. Section 13.7 relates to SDRA 15 - Liberties and Newmarket Square which includes the subject site.

5.1.10. Chapter 14 of the Plan relates to Land Use Zoning. The site is zoned Z5 City Centre. The relevant zoning objective is *‘to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.’*

5.1.11. Chapter 15 relates to Development Standards. Relevant Sections which are considered to be of relevance to the subject appeal include the follows:

- Section 15.4: Key Design Principles, Section 15.5: Site Characteristics and Design Parameters, (Section 15.5.3: Alterations, Extensions and Retrofitting of Existing Non - Domestic Buildings, Section 15.5.7: Materials and Finishes), Section 15.13: Other Residential Typologies, ((Section 15.13.1 Student Accommodation, 15.13.9 Hostels / Sheltered Accommodation / Family Hubs)),
- Section 15.14: Commercial Development/ Miscellaneous (Section 15.14.1 Hotels and Aparthotels).
  - Section 15.14.1.2 relates to Aparthotels and states the following in relation to short-term accommodation.
  - Section 15.14.3 relates to Short Term Tourist Rental Accommodation
    - *There is a general presumption against the provision of dedicated short term tourist rental accommodation in the city due to the impact on the availability of housing stock.*
    - *Applications for Short Term Tourist Rental Accommodation will be considered on a case-by-case basis in certain locations that may not be suitable for standard residential development such as tight urban sites where normal standards or residential amenity may be difficult to achieve. Applications may also be considered in locations adjacent to high concentration of night / time noisy activity where standard residential development would be unsuitable.*

5.1.12. Appendix 1 – Housing Strategy

- Annex 3 to appendix 1: Dublin City Sub-City HNDA

## 5.2. National Guidelines/ Strategies

5.2.1. The following National Guidelines/ Circulars are also relevant:

- Circular Letter PL 12/2016 – Recent An Bord Pleanála Decision on Short Term Lettings.
- Circular Letter PL10/2017 – Guidance on Planning Applications for Short Term Lettings.
- Circular Letter PL4/2019 - New Regulations for Short-Term Letting.
- Guidance Note for Local Authorities for Regulating Short-Term Letting, July 2019.
- Housing for All, A New Housing Plan for Ireland, 2021
  - Housing Policy Objective 20: Make more efficient use of existing housing stock:
    - 20.4: *Develop new regulatory controls requiring Short-Term and Holiday Lets to register with Failte Ireland with a view to ensuring that homes are used to best effect in areas of housing need. (Timeline: Q2, 2022).*
- Circular Letter PL 02/2022 – New Regulations Exemption from Planning Permission in respect of the Change of Use of certain Vacant Commercial Premises, including vacant areas above ground floor premises, to residential use.
- Sustainable Urban Housing: Design Standards for New Apartments, 2023.
- Sustainable Residential Development and Compact Settlement Guidelines, 2024.

## 5.3. Natural Heritage Designations

5.3.1. The site is not located within or adjacent to a Natura 2000 site.

## 5.4. EIA Screening

5.4.1. Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area which is served by public infrastructure, the

nature of the receiving environment and the existing pattern of development in the vicinity, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- The proposed development works have been misrepresented by the Case Officer and the Planning Authority. No residential accommodation is explicitly proposed as part of the application. The proposal is instead to reutilise a vacant office building for short-stay tourist accommodation.
- The Applicant considers there are numerous precedent examples in the area for similar short stay units on lands zoned Z5 City Centre. The Applicant notes the strategy for this zone is to provide a dynamic mix of uses which interact with each other, help create a sense of community, and which sustain the vitality of the inner city both by day and night. Permissible uses on Z5 lands include a number of short-stay accommodation formats, including hostel, hotel, guesthouse, residential and bed and breakfast. The Applicant considers that the proposed short-stay tourist accommodation model fully accords with this strategy. The Applicant refers to the Local Authority Planners suggestion that the proposal as a 'non-conforming use' and that it would therefore not accord with the Z5 zoning objective. The Applicant finds this to be completely unfounded. The Applicant is committed to providing luxury tourist accommodation which offers a unique quest experience.
- The Applicant refers to the long-established Commercial use of the structure and states that the building does not provide residential accommodation and that this is not an economically viable prospect into the future. The Applicant states that the proposals will not, in any way, impact on the availability of housing stock in the city.

- The Applicant states that on the basis of the foregoing, they submit that the proposed development is consistent with the local level policy direction and is in accordance with the proper planning and sustainable development of the area.

## 6.2. Applicant Response

- None.

## 6.3. Planning Authority Response

- *The observations of the Dublin Planning Officer on the grounds of the appeal have been sought and these will be forwarded to you as quickly as possible.*

## 6.4. Observations

- None.

## 6.5. Further Responses

- None.

## 7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/ regional and national policies and guidance, I consider the main issues in this appeal are as follows:

- Principle of Development
- Policy CEE28 Visitor Accommodation
- Section 15.14.3 (Short Term Tourist Rental Accommodation)
- Reason for Refusal No. 1
- Other Issues
  - *Appropriate Assessment*

## 7.2. Principle of Development

- 7.2.1. The subject site is zoned Z5 'City Centre', the relevant zoning objective for which is *'to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.'* Permissible uses include Bed & Breakfast, Guesthouse, Hostel (Tourist), Hotel and Student Accommodation. Short-term letting is however not identified as either a permissible use or a use which is open for consideration on lands zoned Z5. Notwithstanding this, I consider a short-term letting use to be similar in character to that of the abovementioned uses and as such can therefore be considered a permissible use on Z5 zoned lands, subject to assessment against normal planning considerations. These matters are discussed in turn below.

## 7.3. Policy CEE28 Visitor Accommodation

- 7.3.1. Policy CEE28 of the Plan relates to Visitor Accommodation and includes a series of planning considerations. I note the immediate context and setting of the subject appeal site which forms part of a commercial block positioned adjacent and to the east of an established residential area. Surrounding commercial uses within the subject block include, Law Offices, Legal Services, the Association of Secondary School Teachers of Ireland (ASTI) Headquarters and other Professional Services and Businesses including a Care business, a Business Start Up Company, a Translation Service and a Professional Massage Business.
- 7.3.2. The appeal site is proximate to some established tourist attractions. For example, within 500 metres of the appeal site, the Applicant has identified 6 no. existing facilities (4 no. Churches, Dublin Castle and a Public House/ Tavern). The closest such tourist attractions to the appeal site include Christchurch Cathedral c. 25 metres to the south-east and Dublinia Museum c. 56 metres to the south. Within 300 metres of the Appeal site, I estimate there are a minimum of 10 no. existing Visitor Accommodation facilities in the form of 5 no. hotels, 3 no. aparthotels, 1 no. Guesthouse and 1 no. Hostel. This includes 2 no. 1 Star, 3 no. 3 Star and 4 no. 4 Star facilities. There is therefore a predominance of hotels and aparthotels in the general area (8 no. in total) and no apparent short-term letting tourist accommodation facilities akin to the subject proposal.

7.3.3. Although the proposed development will not result in a significant increase in street level activity, it is my view that it will serve to adhere to the wider objective to provide a rich and vibrant range of uses in the city centre and will not represent an unacceptable intensification of activity in the area.

7.3.4. I am satisfied therefore that the proposed development complies with Policy CEE28 – Visitor Accommodation.

7.4. Section 15.14.3 (Short Term Tourist Rental Accommodation)

7.4.1. As per the Guidance set out in Section 15.14.3, there is a general presumption against this form of development in the city owing to the impact on the availability of housing stock. The existing building has an established Commercial Use (Offices) and is not currently, nor has it ever been, in residential use. I agree with the Applicant that the building does not constitute existing ‘housing stock’. The proposals seek to change the existing Commercial Use from Offices to Short-Term Visitor Accommodation and, in my view, do not impact on the availability of housing stock.

7.4.2. The guidance states that *‘applications for Short Term Tourist Rental Accommodation will be considered on a case-by-case basis in certain locations that may not be suitable for standard residential development such as tight urban sites where normal standards or residential amenity may be difficult to achieve.’* The subject appeal site has an established commercial use and forms part of an established commercial block. I note the Local Authority consider that the site is not ‘unsuitable’ for residential accommodation. Although I do not disagree with this opinion, I would be concerned that a satisfactory normal standard of residential accommodation and residential amenity may be somewhat difficult to achieve, particularly, for example, in terms of internal daylight standards, an acceptable number of dual aspect units and potential noise impacts arising as a result of the location of the site immediately adjacent a busy transport route.

7.4.3. The Guidance states that *‘applications may also be considered in locations adjacent to a high concentration of night / time noisy activity where standard residential development would be unsuitable.’* Although the appeal site location does not fall within such an area, I do not consider this to be a specific requirement.

7.4.4. I am satisfied that the subject appeal site is a suitable location for the proposed development and that the proposals adhere to the relevant Z5 zoning objective ‘to

*consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.'*

#### 7.5. Reason for Refusal

- 7.5.1. The 1 no. reason for refusal refers to the core principles of the Dublin Housing Strategy and Policy QHSN38 to encourage the establishment of sustainable residential communities by ensuring a wide variety of housing typologies and tenures is provided throughout the city in accordance with the Housing Demand Needs Assessment (HDNA).
- 7.5.2. It is not disputed that the Housing Demand Needs Assessment (HDNA) recognises a high demand for long term residential rental properties such as apartments in Dublin City and that the emerging trend shows an increase of rental demand for this type of residential accommodation. However, as discussed further above, the existing building is not considered to constitute existing 'housing stock' and the proposals do not result in the loss of existing housing stock or serve to impact on the availability of housing stock. I do not therefore accept that the proposed development would be contrary to the stated provisions of the City Development Plan 2022 – 2028 regarding the core principles of the Dublin Housing Strategy and/ or Policy QHSN38.

#### 7.6. Other Matters

- *Appropriate Assessment*

- 7.6.1. Having regard to the nature and scale of the proposed development and the distance from the nearest 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.

### 8.0 Recommendation

- 8.1. I recommend that permission be GRANTED for the following reasons and considerations and subject to the following conditions.



## 9.0 Reasons and Considerations

- 9.1. Having regard to the Z5 'City Centre' zoning of the site, the provisions of the Dublin City Council Development Plan, 2022 to 2028, the vacant status of the site and the design and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not significantly detract from the character of the surrounding areas and would comply with the provisions of the Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the Planning Authority on the 25<sup>th</sup> of July 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interests of clarity.

2. The proposed short-term residential apartments shall be let as single apartments, and shall not be subdivided, without a separate grant of planning permission.

**Reason:** To limit the nature of the development to that sought, in the interest of clarity.

3. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

**Reason:** To limit the nature of the development to that sought, in the interest of clarity.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

5. Drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority.

**Reason:** In the interests of public health.

6. The developer shall pay to the planning authority a financial contribution in respect of the LUAS Cross City 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. The contribution shall be paid prior to the 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. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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.

*I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.*

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Frank O'Donnell  
Planning Inspector

12<sup>th</sup> July 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

**[EIAR not submitted]**

<b>An Bord Pleanála Case Reference</b>	ABP-318161-23		
<b>Proposed Development Summary</b>	Change of use from office to short term accommodation.		
<b>Development Address</b>	4 Inns Court, Winetavern Street, Dublin 8, D08 XY00		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	
		<b>No</b>	<b>X</b>
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>		N/a	EIA Mandatory EIAR required
<b>No</b>	<b>X</b>	N/a – not a class	Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>	<b>X</b>	N/A	No EIAR or Preliminary Examination required
<b>Yes</b>		N/A	Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	<b>X</b>	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_