



An
Coimisiún
Pleanála

Inspector's Report

PL-500991-DS-26

Development	Amendment to permitted development (Re. Ref: 2022/87) to change wording of Condition 7.
Location	Arranmore Apartments (13-17), Pembroke Road, Dublin 4.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB6011/25
Applicant(s)	AOMC Arranmore Owners Management Company Limited.
Type of Application	Permission.
Planning Authority Decision	Grant permission with conditions.
Type of Appeal	Third Party
Appellant(s)	Paul Andrew Smith.
Observer(s)	None.
Date of Site Inspection	16/05/26.
Inspector	Anthony Abbott King

1.0 Site Location and Description

- 1.1. The appeal site comprises an infill modern apartment building circa.1987 located on the south side of Pembroke Road positioned at the end of a period streetscape (1-11 Pembroke Road - protected structures) to the east of the Pembroke Road junction with Waterloo Road.
- 1.2. The apartment building comprises a 10 bay 3-storey over raised basement Georgian style pastiche red brick with stone dressed façade. The end bays and centre bays of the façade are recessed allowing the projection of two 3 bay elements to reflect the modulation of the period streetscape to the west and east.
- 1.3. The adjoining property to the east at no. 19 Pembroke Road is an extended period semi-detached mansion house in multi-unit residential use (known as XIX Pembroke Road).
- 1.4. The Arranmore apartment building follows the established building line on the southside of Pembroke Road and is set back at a significant distance from the public carriageway. The setback accommodates an in-curtilage car park.
- 1.5. The building accommodates 5 levels of apartments comprising 39 units. The 4-storey over raised basement rear elevation fully articulates the 5 internal residential floors. There is a landscape garden to the rear of the building.
- 1.6. The site area is given as 2.547 hectares.

2.0 Proposed Development

- 2.1. The amendment to permitted development (Re. Ref: 2022/87) to change wording of Condition 7 regarding a retirement home.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to condition.

3.1.1. Condition 2 is relevant and states:

The proposed development shall otherwise comply with the conditions of the parent planning permission, register reference 2022/87 as amended by reg, ref. 4558/23.

Reason: *In the interest of clarity and for the avoidance of doubt.*

Condition 3 is relevant and states:

The proposed development shall be used exclusively as an age-restricted residential complex for persons aged 55 years and over.

Reason: *In the interest of clarity.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the CEO of Dublin City Council reflects the recommendation of the planning case officer.

- There is an existing lack of clarity in the matter of the interpretation of “retired”, which has resulted in dispute(s) including enforcement proceedings. The proposed rewording of the subject condition would provide clarity for the occupiers and future occupiers of the property.
- A decision should ensure protection for the existing residents ensuring that the development will be maintained as an age-restricted residential property.
- In conclusion the planning officer considered that the amendment to condition number 7 (2022/87) would subject to condition meet the relevant development management standards as set out in the Dublin City Development Plan 2022-2028.

3.2.2. Other Technical Reports

- No objection

3.3. **Third Party Observations**

One third party observation from the appellant is on file. I note this submission is also appended to the appeal statement. The submission is summarised below:

- The third party is a property owner in the subject retirement apartment complex where planning restrictions imposed by condition regulate the occupation (to retired persons) of units in the development including Condition number 7, which this application proposes to amend.
- The policing of the occupancy restriction by the management company was not enforced to the satisfaction of the third party in particular in regard to Flat 11. The third-party informed the planning authority who took enforcement action, which resulted in the departure of the tenants from Flat 11.
- The management company subsequently issued a letter to all owners clarifying that the sale, purchase or renting of apartment units is restricted solely to retired persons while entering into bilateral negotiation with the planning authority to amend Condition number 7.
- The rewording of condition number 7 to reflect the fact that people need to work beyond conventional retirement age was presented to the planning authority.
- The management company agreed with the planning authority that the planning restriction on occupancy / use described as “retired” would be replaced with “55 & Over”. The third-party disagrees that this amendment is motivated by the need for retirees to work, as working retirees are not an issue previously or at present.
- The third party disagrees with the change in wording. It is claimed that the age profile of the residents in the building is over 60 years. “60 & Over” would be more appropriate if change is required.
- It is claimed that the change in wording to restrict occupancy to “55 & Over” would result in a greater demand for car parking given the potential younger age profile of the future occupants who are more likely to be renters.
- The car park provision on site is restricted to 18 communal car parking spaces for 39 residential units within the curtilage of the apartment complex. Condition number 7 was attached to the parent permission in order to acknowledge the limited number of car parking spaces, which was considered appropriate for retiree accommodation but did not reflect parking standard at that time (1987).

- Furthermore, on-street permit parking provision will be removed on Pembroke Road outside the apartment building, in particular the section of carriageway on the west side of Pembroke Road between the apartment building and Baggot Street where parking is already challenging, by the introduction of a bus corridor.
- The management company in tandem with changing the wording of Condition number 7 changed the house rules to allow business to be run from the apartment units, which it is claimed will support high rents motivated by working-from-home hubs.
- There are fire safety concerns including that the 5-storey apartment building was built without a fire escape and that some older residents have mobility issues. The planning authority should do a review of the fire safety Condition number 3, including a fire safety inspection, if it is revisiting Condition number 7.
- The third party cites the removal of Condition 8 where a planning permission was obtained to change the use of a warden flat on site. It is claimed that this change of use has resulted in a significant depreciation in services on site.

4.0 Planning History

- 4.1. Parent permission granted under reg. ref: 2022/87 for an infill apartment building. Condition number 7 of the permission states:

The development shall be used exclusively as a retirement complex where an appropriate management company shall be set up prior to occupation of any of the units. It shall not be used at any time in the future for accommodating non-retired people. Similarly no part of the development may be converted to ordinary flats or holiday homes.

Reason: *To prevent substandard development as the development standards of the proposal i.e. density car parking etc. would only be acceptable for retirement flats and not for ordinary flat development and also to provide for the proper planning and development of the area.*

- Under Reg. ref: 4558/23 planning permission was granted for the amendment of reg. Ref: 2022/87 to remove Condition number 6 which stated that: 'The proposed Warden's flat shall be used exclusively for such use' - to change the

warden's apartment at flat 8, garden level, to normal residential use with no requirement for a building warden apartment.

Condition number 2 is relevant and states:

The apartment shall be used exclusively as part of the active retirement complex and shall not be used, sold or let at any time in the future for accommodating non-retired people.

Reason: *To ensure that the apartment is used in accordance with the details submitted on file and described in the statutory public notices in the interests of the proper planning and development of the area.*

5.0 Policy Context

5.1. Development Plan

The relevant land-use zoning objective of the Dublin City Development Plan 2022-2028 is Z2 (Residential Conservation) (Map E): *To protect and/or improve the amenities of residential conservation areas.*

- **Residential Conservation Areas**

Chapter 14, Section 14.7.2 Residential Neighbourhoods (Conservation Areas) – Zone Z2 *inter alia* states:

The rationale for residential conservation area designation is that the overall quality of an area in design and layout terms is such that it requires special care in dealing with development proposals, which would affect structures both protected and non-protected in such areas. The general objective is to protect conservation areas from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.

- **Quality Housing & Sustainable Neighbourhoods**

Chapter 5, Section 5.5.4 (Social Inclusion) and Section 5.5.5 (Housing for All) is relevant.

Policy QHSN18 is relevant and states:

The Needs of an Ageing Population

To support the needs of an ageing population in the community with reference to housing, mobility and the public realm having regard to Age Friendly Ireland's 'Age Friendly Principles and Guidelines for the Planning Authority 2020', the Draft Dublin City Age Friendly Strategy 2020-2025 and Housing Options for our Aging Population 2019

Policy QHSN23 is relevant and states:

Independent Living

To support the concept of independent living and assisted living for older people, to support and promote the provision of specific purpose built accommodation, including retirement villages, and to promote the opportunity for older people to avail of the option of 'rightsizing', that is the process of adjusting their housing to meet their current needs within their community.

- **Housing (Apartments)**

Chapter 15 (Development Management Standards) Section 15.8 (Residential Development) is relevant. Section 15.9.15 (Operational management & Maintenance) *inter alia* states:

All apartment developments will be required to address the maintenance and management of a development to clarify the overall operational management plan for the development together with the maintenance strategy for the upkeep of the building.....

5.2. Relevant National or Regional Policy / Ministerial Guidelines

- The Development Management Guidelines for Planning Authorities (2007).

6.0 EIA Screening

- 6.1. The proposed development does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings.

7.0 The Appeal

7.1. Grounds of Appeal

The grounds of appeal are summarised below:

- The appellant is a property owner in the apartment complex, which he purchased in 2023 with the clear understanding that the apartments in the complex can only be occupied by retired persons and cannot be used as ordinary residential units for sale / rent, as is made transparent on the lease and by Condition number 7 of the parent planning permission.
- The appellant notified the planning authority that the condition(s) of the parent permission were not being enforced in the matter of the restricted occupancy of the apartments within the complex.
- It is claimed enforcement action by the planning authority *inter alia* motivated the Board of Management of the apartment complex to apply for the revision of Condition number 7 to amend the occupancy restriction.
- The appellant claims that a full review of the parent permission conditions is warranted, in particular condition 3 (fire safety) and matters of car parking, rather than a focus on the review of the specific Condition number 7 of the permission.
- The appellant claims that the adjoining residential unit (Flat 11) is used as a holiday home evidenced by less than 25% occupancy by the owner. Holiday home use is specifically regulated by Condition number 7, which is not being enforced. The appellant seeks a full investigation by Commission Pleanála including the validity of the ownership of Flat no.11.
- The appellant considers that the decision of the planning authority to amend Condition number 7 should be overturned by the Commission with reference to the parent planning approval and the lease.

- The appellant claims that the Board of Management have not fully informed the residents of the apartment complex in regard to the action to submit the amendment application under appeal, including the engagement of planning consultants.
- The appeal statement cites broader issues arising from the proposed amendment of Condition number 7 contained in the appellant's objection to the planning authority, as appended to the appeal statement. I have summarised the appended submission (Part 1-4) in Section 3.4.

7.2. Applicant Response in the case of a 3rd Party Appeal

The applicant response is summarised below:

- The Board of the Arranmore Owners Management Company (AOMC) clarify that the transfer of the freehold of the apartment complex to the owners (AOMC) took place on the 31/08/26 (previously the freehold was in the ownership of a third party). The apartment complex is now governed under the Multiple Unit Development (MUD) legislation.
- The Arranmore building is primarily owner occupied with 3 out of 39 apartments rented and 3 currently vacant. The change of use of Apartment 8 (Reg. Ref. 4558/23) from warden accommodation was part of a structural change in the provision of services on site and was part of the agreement to purchase the freehold.
- It is the objective of the management company to upgrade the 40 year old apartment complex in need of renovation, which has incrementally commenced under professional advice in a responsible financial manner, in order to ensure that it aligns with similar types of older person housing in Ireland and that all tenancies are not the subject to legal challenge.
- The management company have concluded that the apartment complex needs to be aligned with housing for older people in the State and in Dublin city following review of the relevant demographics and local and national policy. The proposed amendment is supported by national and local policy and the majority of the apartment owners.

- The applicant claims that the objections raised in the third party appeal are exaggerated, unsubstantiated and are not constructive. The directors of the management company are discharging their fiduciary duties including seeking professional advice for complex matters.
- The Board of management accepted the planning authority enforcement conclusion that the tenants of Apartment 11 were not retirees within the strict meaning of Condition number 7. The tenants vacated the property in June 2025 and the enforcement file is closed.
- In the matter of age restriction, a requirement of 55 years was chosen as the age limit aligned with current policy in regard to older people housing. The planning authority ruling on tenants not working applies to both owners and tenants. The appellant claim that the working restriction applies to tenants and not owners is unfounded.

7.3. **Planning Authority Response**

The planning authority request the Commission uphold their decision. The planning authority request that if a permission and retention is granted that a management company condition attaches to same.

7.4. **Observations**

None to date.

8.0 **Assessment**

8.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant planning policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Zoning / principle of development
- Wording of Condition number 7
- Car parking

- Management Company
- Other matters

8.2. Zoning / principle of development

The site is zoned Z2 (Residential Conservation) in the Dublin City Development Plan 2022-2028: *To protect and/or improve the amenities of residential conservation areas.* Residential development is acceptable in principle and may be permitted where the proposed development is compatible with the overall policies and objectives of the development plan.

8.3. I note that Section 39(2) of the Planning & Development Act 2000 (as amended) allows planning authorities and the Commission to attach conditions specifying the use of a structure as a dwelling, which can be restricted to use by persons of a particular class or description.

8.4. Condition number 7

The wording of Condition number 7 presently reads that the subject development is a retirement complex and shall not be used at any time in the future for accommodating non-retired people. Furthermore, Condition number 7 clarifies that no part of the development may be converted to ordinary flats or holiday homes.

8.5. The third party claims that the amendment of Condition number 7 to clarify the retired persons occupancy restriction is unnecessary. Furthermore, the proposed entry age restriction at “55 years and over” does not reflect the age profile of the existing residents of the apartment complex who are on average significantly older.

8.6. The application clarifies that the transfer of the freehold of the apartment complex to the owners of Arranmore Owners Management Company (AOMC) took place on the 31/08/26. The apartment complex is now governed under the Multiple Unit Development (MUD) legislation.

8.7. The first party has applied to the planning authority to reword Condition number 7 motivated by the significant societal changes that have occurred since the apartment scheme was originally constructed particularly the understanding of retirement where many individuals who formally retire at 55-60+ continue to participate in their professions.

- 8.8. It is claimed by the first party that the strict interpretation of retirement as defined in Condition number 7 prevents residents undertaking academic, artistic, or other work prohibiting residents from any form of academic, artistic, part-time professional fee-paid work or other form of employment.
- 8.9. I note the wording of Condition number 7, *inter alia* states that the complex shall not be used at any time in the future for accommodating non-retired people. I consider that the occupancy condition as presently worded is absolute in excluding residents from full time or part time employment.
- 8.10. It is noted that the subject apartment building is not an assisted living facility rather an age friendly retirement development, which provides a model of “right sizing” (Arranmore House Rules).
- 8.11. The first party highlights that housing for people in Ireland over 55 falls into 4 categories and that the subject development is analogous with private apartment-style retirement villages with amenities like gyms / common spaces and concierge services.
- 8.12. I note policy QHSN23 of the Dublin City Development Plan 2022-2028 which supports the concept of independent living and assisted living for older people, to support and promote the provision of specific purpose built accommodation, including retirement villages, and to promote the opportunity for older people to avail of the option of ‘rightsizing’, that is the process of adjusting their housing to meet their current needs within their community.
- 8.13. The first party states that more recent planning applications for similar developments refer to independent living for older residents rather than requiring that residents be fully retired and seeks to reword Condition number 7 to reflect the contemporary status of retired persons living in the apartments with an age profile 55 to 90 years.
- 8.14. It is claimed that active participation in flexible part-time work over the age of 55 aligns with national aging policy, which encourages continued engagement in work to support mental and physical wellbeing as well as the wider economy.
- 8.15. The first party has applied to change the wording of Condition number 7 as follows:

The proposed development shall be used exclusively as an age-restricted residential complex for persons aged 55 years and over. An appropriate

management company shall be maintained on place to oversee the maintenance, operation, and long-term management of the development.

No part of the development shall, at any time, be used to accommodate persons under the age of 55 years and the development, or any part thereof, shall not be sold, let, or otherwise converted for use as standard or ordinary residential units or apartments.

8.16. The first party response to appeal details that the rewording of Condition number 7 is an action by the management company forming part of an overall upgrade of the 40 year old apartment complex, which is in need of renovation, including alignment with best practice in older people housing.

8.17. I consider that the first party has made a reasoned case for the replacement of Condition number 7 given the evolving status / definition of retirement in the last 40 years and within the context of the upgrade and alignment of the subject building with best practice for independent living consistent with Policy QHSN23 of the Dublin City Development Plan 2022-2028.

Age restriction

8.18. The first party states that after a review of relevant national and Dublin City Council policy in the matter of age restriction(s) for access to older person housing, a 55 years or over restriction was chosen as the appropriate age entry limit to reside in the complex.

8.19. The planning authority considered that 55 years and over is an acceptable age restriction aligned with the acceptance of applications from 55 years and older applicants to Dublin City Council for age restricted housing.

8.20. I have reviewed the Dublin City Council Housing Allocation Scheme (amended 31st March, 2025) for social housing. Section 11.5 (Older Persons' Accommodation) specifies that older persons for the purpose of allocating designated dwellings are persons aged 60 years of age or over. However, persons aged 55 years or over are eligible where priority has been awarded (older person homeless).

8.21. I acknowledge that the understanding of retirement encompasses a flexible part-time working dynamic for post fulltime employed residents and that this dynamic is evolving.

- 8.22. I also acknowledge the concerns of the third party at the first party seeking to provide a broader definition of retirement. However, the third party has suggested an arbitrary “65 years & over” restriction which is not evidenced based.
- 8.23. The house rules clearly state that Arranmore is a unique community in that all residents are 55 years or more and are retired (passed at the AGM/EGM of the apartment owners on 08/12/25).
- 8.24. I conclude on balance that “55 years & over” is an acceptable age definition to regulate residence at the subject retirement development for both existing occupiers and future occupiers noting the equivalence to the age restriction for application to Dublin City Council for older persons residential accommodation.

Scope of condition

- 8.25. Finally, in the matter of the re-wording of Condition number 7, I refer to the Development Management Guidelines for Planning Authorities (2007), which *inter alia* states that conditions should be precise and clearly understandable.
- 8.26. Furthermore, planning conditions should not be used to enforce other legislative codes or controls / protocols where there is no good reason that controls cannot be dealt with by other means.
- 8.27. I note that the apartments are held under leasehold conditionality. Furthermore, the first party has included house rules and protocols with the application to the planning authority (Appendix 1), which regulate operational matters on site.
- 8.28. I specifically note Part 3 (Purchase & Rental) of the House Rules (Arranmore Apartment Sale Regulations), which *inter alia* provides for apartment disposal and rental in accordance with the lease(s).
- 8.29. I do not consider that leasehold arrangements and the operational function(s) of the management company should be regulated by planning condition. I address the planning matter of the requirement for a management company below.
- 8.30. I conclude that Condition number 7 as re-worded should be relevant to planning, should be necessary, should be enforceable and should be precise, as required by the Development Management Guidelines for Planning Authorities (2007).

8.31. Therefore, I concur with the planning authority that the rewording or the replacement condition for Condition number 7 should read as follows:

The development shall be used exclusively as an age-restricted residential complex for persons aged 55 years and over.

Reason: In the interest of clarity.

8.32. Car Parking

The third party highlights that Condition number 7 was attached to the parent permission *inter alia* in order to acknowledge the limited number of car parking spaces on site commensurate with a retirement development and not a standard residential development.

8.33. The third party claims that a rewording of Condition number 7 to facilitate persons “over 55 years” would increase on-site car parking demand with no alternative car parking available for existing older retirees.

8.34. The third party states that alternative on-street permit parking provision will be removed on Pembroke Road to facilitate a bus corridor and that on-street parking is already challenging in the vicinity of the appeal site.

8.35. The rationale for the imposition of Condition number 7 is stated in the condition reason *“to prevent substandard development as the development standards of the proposal i.e. density car parking etc. would only be acceptable for retirement flats and not for ordinary flat development”*.

8.36. I note that Condition number 7 is framed to regulate development standards, including car parking provision, to the standards that applied to retirement residential development at the time of building construction.

8.37. I also note that the car parking standard for elderly person housing in the central area is 1 per 4 dwellings (Appendix 5, Table 2: Maximum Car Parking Standards) of the Dublin City Development Plan 2022-2028, which would require a lower car parking provision than currently exists on site (18 spaces for 39 dwelling units).

8.38. I consider that the proposed re-wording of Condition number 7 would maintain the age restriction on the occupancy of the apartment complex to retirees defined as persons “over 55 years”.

8.39. I conclude that there is no material change in the typology / classification of residential development on site, which would be retained as an age-restricted residential complex.

8.40. Management Company

8.41. The planning authority request the Commission to attach a management company condition to any grant of planning permission.

8.42. Section 15.9.15 ((Operational management & Maintenance) Chapter 15 (Development Management) of the Dublin City Development Plan 2022-2028 *inter alia* requires apartment schemes to address the maintenance and management of a development to clarify the overall operational management plan for the development together with the maintenance strategy for the upkeep of the building.

8.43. I consider the attachment of a management company condition both necessary and reasonable.

8.44. Other Matters

Enforcement of Condition number 7 of the parent permission

8.45. The third party seeks a full investigation by the Commission of all management company matters including the validity of the ownership of Flat no.11 through enforcement of Condition number 7.

8.46. I note that the legislation governing management companies is provided for under the Muti-Unit Development Act (2011). This is a matter for the relevant regulatory authority for Owners' Management Companies (OMCs) and not for the Commission.

8.47. In the matter of property ownership and the enforcement of Condition number 7. This is a matter for the planning authority.

8.48. I note that the first party response to appeal states that the matter of unauthorised tenant occupancy of Flat no.11 notified to the owners' management company by Dublin City Council enforcement section has been resolved on the departure of the tenants.

Full review of the other conditions (2022/87) in tandem with Condition number 7

8.49. The third party claims that an overall review of the parent permission conditions is warranted, in particular Condition number 3 (fire safety) and matters of car parking, rather than a sole focus on the review of Condition number 7 of the permission.

- 8.50. Condition number 7 of the parent permission is the subject of appeal. I consider that this is the proposal for assessment by the Commission rather than a hypothetical proposal that comprises a review of a suite of conditions.
- 8.51. I note that the majority of the conditions attached to the parent permission would have regulated the construction of the subject development at build stage and as such the majority of conditions are de facto discharged.
- 8.52. Finally, Condition number 7 relates to building use. The reason for the attachment of the condition is occupancy specific.
- 8.53. The condition was attached to the parent permission in order to prevent substandard residential development. The condition ensures the application of the development standards pertaining to retirement flats including the relevant car parking standards. I have dealt with this matter above.
- 8.54. I conclude that an assessment of the amendment of Condition number 7 can be dealt with independently without requiring a comprehensive review of the suite of conditions attached to the parent permission (2022/87).

9.0 AA Screening

- 9.1. I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within an established urban area and is connected to piped services and is not immediate to a European Site.

The proposed development comprises a minor change to an occupancy condition.

No significant nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site given the small-scale nature of the development.

I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 **Water Framework Directive**

10.1. The site is located in a suburban location. It is not immediately proximate to a visible watercourse.

The development comprises a minor change to an occupancy condition.

No water deterioration concerns were raised in the planning appeal.

I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is the small scale and nature of the development.

I conclude based on objective information, the proposed development will not result in a risk of deterioration of any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 **Recommendation**

11.1. I recommend a grant of planning permission subject to condition for the following reasons and considerations.

12.0 Reasons and Considerations

Having regard to the residential conservation zoning objective and the policy framework provided by the Dublin City Development Plan 2022-2028, It is considered that the replacement of Condition 7 (2022/87) with a condition that would clarify the use of Arranmore Apartments as an age-restricted development exclusively for persons aged 55 years and over would be consistent with Policy QHSN23 (Independent Living) of the Dublin City Development Plan 2022-2028 and with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development to be retained shall be regulated in accordance with the plans and particulars lodged with the application 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 interest of clarity

2. The development shall be used exclusively as an age-restricted residential complex for persons aged 55 years and over.

Reason: In the interest of clarity.

3. The management and maintenance of the development shall be the responsibility of a legally constituted management company, which shall be maintained in place to oversee the maintenance, operation and long-term management of the development.

Reason: To provide for the satisfactory future and continued maintenance of this development in the interest of residential amenity.

4. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission (2022/87), as amended by reg. ref: 4558/23, unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

Reason: In the interests of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Anthony Abbott King
Planning Inspector

22 May 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500991-DS-26
Proposed Development Summary	Amendment of occupancy condition (0022/87)
Development Address	Arranmore Apartments, 13-19 Pembroke Road, Dublin 4.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input checked="" type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) 	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____