An Coimisiún Pleanála

Inspector's Report
PL-501423-DS-26

Development	Permission for a period of 5 years for a public sauna facility to include 5 single story modular sauna units with ancillary development such as plunge pools, changing facilities and W.C's. The site is adjacent to a Protected structure.
Location	Richmond Villas & 9-10 South Richmond Street , Dublin 2.
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB1514/26
Applicant(s)	Lidoc Experiences Ltd.
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	First Party (s.48(10) and s.49(3))
Appellant(s)	Lidoc Experiences Ltd.
Observer(s)	None
Inspector	Conor McGrath

1.0 Introduction

1.1. This report relates to a first party appeal under s.48(10) and s.49(3) of the 2000 Act, as amended, against condition no. 2 and no. 3 of the planning authority decision to grant permission for the proposed development.

2.0 Site Location and Description

2.1. The site at 9-10 South Richmond St. and Richmond Villas comprises a stated area of 0.051ha and is currently vacant. The boundary to Richmond St. comprises hoarding and a large billboard is located on the northern boundary. The former Bernard Shaw public house, now vacant, bounds the site to the south. That property is a protected structure, although it is currently in poor condition (Reg Ref: 7361).

3.0 Proposed Development

3.1. The proposed development, is described as a temporary permission for a period of 5 years, for a public sauna facility to include 5 single story modular, prefabricated sauna units, three plunge pools, changing facilities and W.C's. A shelter providing 11 no. bicycle parking spaces, signage and boundary treatments are proposed. It is proposed to connect to the existing permitted water supply and foul drainage infrastructure.

3.2. 12 no. structures are arranged around the perimeter of the site, with a plunge pool and shower centrally located, and include:

- Office, fronting Richmond St. South.
- WC.
- Changing Room x 2 on northern and southern boundaries.
- 5 no. sauna units (A-E).
- Covered seating area in northwestern corner.
- Wood store on the southern boundary.

3.3. The 5 no. modular sauna structures are small scale, flat / pent roof or pitched roof structures, of between 4.5-sq.m. and 9.6-sq.m. The stated floor area of development is 194.5-sq.m.

4.0 Planning Authority Decision

4.1. Decision

The planning authority decided to grant permission for the proposed development on 24/04/2026, subject to 13 no. conditions including:

2. A development contribution in the sum of €24,156.00 shall be paid to the Planning Authority as a contribution towards expenditure that was and/ or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority in accordance with Dublin City Council's Section 48 Development Contribution Scheme. The contribution is payable on commencement of development. If prior to commencement of development an indexation increase is applied to the current Development Contribution Scheme or if a new Section 48 Development Contribution Scheme is made by the City Council the amount of the contribution payable will be adjusted accordingly.

Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefitting development in the administrative area of the Local Authority.

3. A development contribution in the sum of €7, 524.00 shall be paid to the Planning Authority in respect of the LUAS Cross City Scheme. This contribution shall be paid prior to the commencement of development or in such a manner as may otherwise be agreed in writing with the Planning Authority.

The amount due is payable on commencement of development. Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution in respect of the public infrastructure and facilities benefitting development in the Luas Cross City area as provided for on the Supplementary Development Contribution Scheme made for the area of the proposed under Section 49 of the Planning & Development Act 2000 (as amended).

4. This planning permission is granted for a temporary period of 5 years only from the date of this grant at which date the permission shall cease and all structure shall be removed from the site, unless a further permission has been granted before the expiry of that date.

Reason: To clarify the temporary time period of this permission in the interests of proper planning and development of the area.

4.2. Planning Authority Reports

4.2.1. Planning Reports

Inner city development, which includes a public sauna may be permitted where the development would be compatible with the overall policies and objectives for the zoning, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area.

The proposed modular single storey units will be fully reversible and have no heritage impact on the conservation area and protected structure. The structures situated behind the timber boundary fence will not be visible from Richmond Street South. The proposed modular units would be unlikely to impact the architectural character of the adjoining protected structure which has been vacant for several years.

Given that this site is neighbouring the Protected Structure which is also in a poor condition, it is considered that a temporary use of the site, given the nature of the sauna facility which will bring people in and out of the site, is acceptable. There are a number of options available to bring the Protected Structure back to its previous state and these could be explored. Considering the poor condition of the existing vacant site and neighbouring Protected Structure, the proposed temporary facility would be a welcome use.

Opening hours and refuse storage/collection details shall be submitted through compliance in the event of a grant of permission.

The subject site is included in a larger site which has permission for a new mixed-use building of up to 8 no. storeys under Reg. Ref. 4148/23 and ABP-318150-23. The site has a live concurrent application (Reg. Ref. WEB6075/25) to amend Reg. Ref. 4148/23 and ABP-318150-23. A request for further information was made on 24/02/2026. No response had been received at the time of that report.

Given the extant permission on site, and while it is noted that no works have commenced to date, and an amendment application has been lodged under Reg. Ref WEB6075/25, it is considered reasonable to permit a temporary permission for a 5 year period, after which time all structures will be conditioned to be removed from the site. A condition to this effect will be attached. Permission recommended

4.2.2. Other Technical Reports

- Engineering: No object subject to conditions.
- EHO: Conditions recommended.
- Transportation and Public Realm: No object subject to conditions.
- Conservation Officer: Refusal recommended due to the form, ad-hoc layout, siting and materiality, and temporary lifespan, which would have a seriously injurious impact on the exterior form, materiality and special architectural character of the Protected Structure at Nos. 11-12 Richmond

Street South and the wider Conservation Area. The development would contravene Policies BHA2 (b) and (d) and BHA9 of the Development Plan and would set an undesirable precedent.

- Contribution Levy Sheet:

  S.48: €122 per sq.m. commercial space x 198-sq.m.= €24,156.

  S.49 Cross City: €38 per sq.m. commercial space x 198-sq.m.= €7,524.

4.3. **Prescribed Bodies**

TII: 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.

4.4. **Third Party Observations**

None Received

5.0 Planning History

PA ref. 2319/16: Permission granted for the creation of temporary structures to facilitate the holding of an open urban market for the period of 3 No. years, accessed via Richmond Street South.

PA ref. 4148/23 ABP-318150-23: Permission granted on appeal in October 2024 for demolition of non-original extension to the protected structure and demolition of No. 13 Richmond Street South comprising;

- new 8-storey mixed-use building.
- repair and refurbishment of protected structure (11-12 Richmond Street South) including removal of non-original features;
- provision of 9,347 sq.m. office space from basement to 7th floor level;
- 3 no. cafe/retail/restaurant units (370 sq.m.) over ground and first floor level;

- 362 sq.m. of arts/cultural space at basement level;
- atrium terrace at 2nd floor level and 2 no. external terraces at 6th floor level;

PA ref. WEB6075/25: Permission sought for the provision of an atrium (c. 25.7m in height) along Richmond Street South, providing a feature lobby area for the permitted development (DCC Reg. Ref. 4148/23 and ABP-318150-23). The atrium provides c.109 sq.m of additional lobby space at ground floor level and presents a void space from 1st to 5th floor. Further Information requested on 23/02/2026.

6.0 **Policy Context**

5.1 Dublin City Development Plan 2022 - 2028

The appeal site is zoned Z10 To consolidate and facilitate the development of inner city and inner suburban sites for mixed-services'.

In order to ensure that a mixed-use philosophy is adhered to on Z10 zoned lands, the focus will be on delivering a mix of residential and commercial uses. There will be a requirement that a range of 30% to 70% of the area of Z10 zoned lands can be given to one particular use, with the remaining portion of the lands to be given over to another use or uses (e.g. residential or office/employment). For very small sites, typically less than 0.5ha, flexibility on mix requirement may be considered on a case-by-case basis, where it can be demonstrated that the proposal would not result in an undue concentration of one particular land-use on the Z10 landholding as a whole.

The primary uses supported in this zone are residential, office and retail, with ancillary uses also facilitated where they deliver on the overall zoning objective.

Permissible uses include: Cultural/recreational building and uses, sports facility and recreational uses.

Chapter 15 – Development Standards

Section 15.14.11 Leisure Centre/ Gym/ Fitness Studio - Dublin City Council will support the provision of leisure centres, gym and fitness studio uses within the city.

These fitness uses have the ability to add activity and animation to the streets outside normal working hours.

6.1. **Dublin City Council Development Contribution Scheme 2023-2026**

Note: This is the scheme which was in force at the date of the planning authority decision. It has since been superceded by the Dublin City Council Development Contribution Scheme 2026-2029), which states that it is effective in respect of Planning Applications lodged from 1st July 2026.

Section 9 set out the level of contributions payable, broken down by Class. Total contributions payable in respect of residential development are:

€118.6 per square meter of Industrial / Commercial Development

(*Note this rate was indexed to €122 per sq.m. in April 2025*)

Note 1: The above rates shall be fixed from 1st April 2023 to 31st December 2024. Consideration may be given to applying **indexation** to the rates of contribution effective thereafter in consideration of the SCSI Construction Tender Price Index.

Note 2:

(a) The floor area of proposed development in a single dwelling unit or commercial development shall be calculated as the gross floor area. This means the area ascertained by the internal measurement of the floor space on each floor of a building (including internal walls and partitions) and including mezzanine floors.

(b) In the case of multi-unit residential buildings, the gross floor area of the development shall be calculated excluding common circulation areas, bin and bicycle storage areas and ancillary uses solely for residents.

Section 10 set out development which will not be required to pay development contributions under the Scheme.

Section 11 identified development liable for a reduced rate of development contributions under the Scheme, including:

- Temporary permissions shall be liable for development contributions at one-third of the applicable rate of contribution. Further temporary permissions granted for the same development will not be charged provided they are granted within 5 years from the expiry date of the original temporary grant of permission (a maximum of one such additional temporary permission will apply). In cases where a subsequent full planning permission is granted for the same development the contribution payable on the new proposal will be net of the amount already paid.

6.2. **Luas Cross City (St. Stephen's Green to Broombridge Line) Supplementary Development Contribution Scheme** (under Section 49, Planning & Development Act, 2000 as amended)

The appeal site is within the area liable to supplementary contributions under this scheme.

Section 10 sets out the Rate of Levy. Two different classes of development are identified requiring the payment of contributions, namely Residential, Commercial/ Retail. Contributions for Commercial / Retail development are expressed as follows:

Commercial / Retail: €38 per square metre

These rates are subject to review at the end of Year 2 and at two-yearly intervals thereafter. If no revision occurs, then existing rates shall continue.

The contributions must be paid prior to commencement of development or on a phased basis agreed with Dublin City Council, at the rate in effect at the time of commencement.

Section 11 identifies categories of development **exempted** from the requirement to pay development contributions under the Scheme.

Section 12 identifies categories of development will be liable for a **reduced** rate of development contributions, including:

- **Temporary** permissions shall be liable for development contributions at one third of the applicable rate of contribution. Further temporary permissions granted for the same development will not be charged provided they are granted within 5 years from the expiry date of the original temporary grant of permission (a maximum of one such additional temporary permission will apply). In cases where a subsequent full planning permission is granted for the same development the contribution payable on the new proposal will be net of the amount already paid.

5.4 Natural Heritage Designations

The Grant Canal NHA lies c. 180m south of the site, with intervening urban development.

7.0 EIA Screening

This case relates to a first party appeal against financial contribution conditions attaching to the planning authority decision to grant permission. Having regard to the nature of the appeal and the provisions of s.48(10)(c), I conclude that the appeal 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. Refer to Form 1 in Appendix 1 of this report.

8.0 The Appeal

8.1. Grounds of Appeal

The first party appeal is made in respect of Condition no. 2 and no. 3 of the planning authority decision to grant permission:

Condition no. 2:

- Contributions have been calculated incorrectly.
- Section 11 of the Development Contribution Scheme provides that temporary permission will be liable to contributions at one third of the applicable rate.
- The full contribution was applied in this case rather than the reduced rate and should be recalculated as 1/3 of the rate.

- Section 9 of the Scheme identifies a contribution of €118.6 per sq.m. of commercial development.
- The planning authority calculated contributions on the basis of 203.7-sq.m. where the correct chargeable floor area is 194.5-sq.m.
- The full contribution payable would be 194.5-sq.m. x €118.6 = €23,071.70.
- This would be reduced to one third = €7,690.37.

Condition no. 3

- While s.49 contributions may apply, principles of proportionality and duration should be taken into account.
- The development is temporary in nature, small-scale, low intensity and local in use.
- It will not generate significant or sustained demand on LUAS or materially benefit from the infrastructure.
- This contribution should be reduced proportionately or reconsidered.

8.2. Planning Authority Response

In response to the first party appeal, the planning authority make the following comments:

- The points raised in the appeal have been considered.
- In relation to the s.48 contribution, the appropriate levy should have been at one-third of the applicable rate of contribution for a temporary permission.
- With regard to the S.49 Levy – LUAS Cross City – there is no provision in that scheme for any reduction or exemption.
- The Commission are therefore requested to apply the full rate of contribution.

8.3. Further Submissions

A further submission from the first party on the planning authority appeal response was received, which makes the following points:

Condition no. 2

The recognition of the temporary nature of the permission in the PA response is welcomed.

It is highlighted that this is not only a temporary permission but consists of temporary structures.

The office, changing rooms and toilets are the only temporary “buildings” which have a floor area. The remaining units are equipment or facilities (modular, removable) which do not possess a building floor area.

If the floor area of modular structures are considered to be calculable, it is highlighted that the floor areas calculated by the PA are incorrect, as they reflect the external floor area of the units.

Condition no. 3

The PA response is noted, and it is therefore requested that the applicable area exclude non-building floor area.

The accompanying site layout plan identifies structures argued to be applicable for development contributions as follows:

Fixed structures		**Total**
Office	33.9-sq.m.	
WC	7.4-sq.m.	
Changing Room	48.3-sq.m.	
Changing Room	48.3-sq.m.	**137.9-sq.m.**
Modular Saunas		
Sauna A	6.3-sq.m.	
Sauna B	4.5-sq.m.	

Sauna C	9.6-sq.m.	
Sauna D	7.8-sq.m.	
Sauna E	5.1-sq.m.	**33.3-sq.m.**

The submissions concludes with the following recalculations:

Contribution no. 2 contribution: 137.9-sq.m. x €122 / 3 = €5,607.93

Condition no. 3 contribution: 137.9-sq.m. x €38 = €5244.

9.0 Assessment

9.1. This is a first party appeal under S.48(10) and s.49(3) against s.48 and s.49 development contribution conditions (no. 2 and no.3) respectively attaching to the planning authority decision to grant permission. There has been no other third-party appeal against the decision. In this regard and in accordance with s.48(10)(c), this report confines its consideration to whether the terms of the s.48 Development Contribution Scheme and S.49 Supplementary Development Contribution Scheme were properly applied by the planning authority and will not consider the merits or otherwise of the proposed development or of the contribution schemes themselves.

9.2. Further, the appeal relates to whether the terms of the scheme then in operation were correctly applied by the planning authority. This report therefore considers the Dublin City Council Development Contribution Scheme 2023 – 2026 and does not have regard to the subsequently adopted scheme, which is stated to effective in respect of Planning Applications lodged from 1st July 2026.

The site is currently vacant and the proposed development comprises the temporary redevelopment of the site as a sauna facililty, which includes the erection of a number of structures on the site.

The grounds of appeal raise a number of matters, namely:

- The application of a reduction in the applicable rate of contributions in recognition of the temporary nature of the permission.

- The calculation of the floor area of development to be included in the calculation of development contributions.
- That the S.49 development contributions are disproportionate to this temporary development.

Condition no. 2

Temporary duration of permission:

Condition no. 4 of the planning authority decision confirms the temporary nature of the permission granted. The planning authority have conceded that the s.48 development contribution under condition no. 2 should have taken account of this temporary nature and been applied at one third of the applicable rate. This is in accordance with the terms of the scheme and it is recommended that this ground of appeal be upheld.

Relevant floor areas:

In accordance with the terms of the DCC Development Contribution Scheme, contributions are payable per square metre of commercial development. The relevant floor area in a commercial development is be calculated as the gross floor area, ascertained by the internal measurement of the floor space on each floor of a building (including internal walls and partitions).

The planning application form accompanying the application to the planning authority identified the gross floor area of development as 194.5-sq.m., however this was not specifically broken down in the application documentation. The planning authority have applied development contributions on the basis of 198-sq.m., however, the basis for this figure is not clear.

The first party argue in error that the planning authority have applied a rate of €118.6 to a floor area of €203.7-sq.m. I note, however, that the planning authority determined the calculations on the basis of 198-sq.m. at the indexed contribution rate of €122 per square meter.

The first party argue that the 5 no. sauna units are not liable for contributions as they are equipment or facilities, which do not possess a “building floor area”.

Notwithstanding that the structures are modular, removable units it is my view that they constitute “buildings” (albeit small buildings), each being an enclosed structure with walls and roof accommodating sauna users. I can see no basis to determine that they do not fall within the terms of the contribution scheme or that they should be regarded as equipment as suggested. I therefore conclude that the 5 no. sauna units, with a cumulative floor area of 33.3-sq.m. would be liable to development contributions under the S.48 contribution scheme.

The first party appeal has provided floor areas for all structures on the site, except the woodstore, bicycle store, covered seating area or plunge pool and shower.

I have reviewed the submitted drawings in respect of the woodstore, which has a gfa of c.22-sq.m.. This structure is roofed and enclosed on three sides. While it is open on its northern elevation, I consider that this does comprise a building for the purposes of the development contribution scheme, is associated with a commercial use on the site and should therefore be included in the calculation of development contributions.

There are no floor plans or specific elevation drawings of the sheltered seating areas, however, based on the information on the file this appears to be a covered, external space and would not appear to comprise a “building” for the purposes of the development contribution scheme. I recommend that it should therefore be excluded from the calculation of development contributions.

The bicycle parking area is described as a dedicated bicycle shelter. There are no drawings provided of this shelter, however, based on the description and site layout plans provided, I do not consider that this would comprise a “building” for the purposes of the development contribution scheme. I recommend that it should therefore be excluded in the calculation of development contributions.

There are no drawings or details of the plunge pools or shower areas, however, having regard to the nature and function of such features I do not consider that they would constitute buildings for the purposes of the development contribution scheme. I recommend that it should therefore be excluded in the calculation of development contributions.

On the basis of the foregoing, I therefore identify the relevant floor area for S.48 Development Contributions as follows:

Fixed structures	Total
Office	33.9-sq.m.
WC	7.4-sq.m.
Changing Room	48.3-sq.m.
Changing Room	48.3-sq.m.
Sauna A	6.3-sq.m.
Sauna B	4.5-sq.m.
Sauna C	9.6-sq.m.
Sauna D	7.8-sq.m.
Sauna E.	5.1-sq.m
Wood store	22-sq.m.
Total	**193-sq.m.***

* Plunge pools, showers, bicycle storage and covered seating area are excluded from the relevant floor area.

On this basis, the relevant s.48 development contributions under condition no. 2 would be as follows:

193-sq.m. x (€122 per square metre / 3) = €7,848.66.

Condition no. 3:

The Luas Cross City (St. Stephen's Green to Broombridge Line) Supplementary Development Contribution Scheme provides for a contribution of €38 per square metre of commercial development. While the scheme does not specify how the relevant floor area is to be calculated, it is reasonable to adopt the gross internal floor area of development, as the basis for such calculations. (this would reflect the approach in the s.48 development scheme.)

The conclusions above on the extent / floor area of development liable to contributions under the S.48 Contribution Scheme, apply equally to the S.49

Contribution Scheme. Contributions would therefore be liable on 193-sq.m. of development.

I note the proximity of the site to the Luas line, and stations, and consider that the development is likely to benefit form the provision of such infrastructure. Further, the accessibility of the site by public transport is cited in the application cover as part of the rationale for the absence of car parking provision on the site.

Finally with regard to the temporary nature of the permission, notwithstanding the comments of the planning authority, the adopted S.49 Scheme clearly does provide for a reduction in contributions payable. Under ssection 11 of the scheme, temporary permissions are liable to contributions at one third of the applicable rate.

On this basis, the relevant s.49 development contribution under condition no. 3 would be as follows:

193-sq.m. x (€38 per square metre / 3) = €2,444.66.

10.0 AA Screening

10.1. This first party appeal has been made under the provisions of section 48(10)(b) of the Planning and Development Act, 2000, as amended. In this regard, the Commission shall therefore determine only the matters relating solely to a condition dealing with a development contribution. As such, the requirements S177U of the Planning and Development Act 2000, as amended, do not apply.

11.0 Water Framework Directive

11.1. The appeal has been made under the provisions of section 48(10)(b) of the Planning and Development Act, 2000, as amended. The Commission shall therefore determine only the matters relating solely to a condition dealing with a development contribution. As such, the requirements under the Water Framework Directive do not apply in this instance.

12.0 **Recommendation**

12.1. I conclude, in accordance with section 48 of the Planning and Development Act, 2000, as amended, and based on the reasons and considerations set out below, that the terms of the

- s.48 Development Contribution Scheme for the area and
- S.49 LUAS Cross City Supplementary Development Contribution Scheme

have not been properly applied in respect of condition number 2 and condition no. 3 respectively, and recommend that Dublin City County Council be directed to amend said conditions and the contributions payable thereunder for the reasons stated, as follows:

12.2. **Conditions**

2. The developer shall pay to the planning authority a financial contribution of **€7,848.66.** (seven thousand, eight hundred and forty eight euro, sixty six cent) 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 **€2,444.66** (two thousand, four hundred and forty four euros and sixty six cent)

in respect of Luas Cross City (St. Stephen's Green To Broombridge Line) 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.

12.3. **Reasons and Considerations**

Condition no. 2

The Dublin City Council Development Contribution Scheme 2023-2026 (Under Section 48, Planning & Development Act, 2000 as amended) was the applicable contribution scheme at the date of the decision of the planning authority. This scheme set out the levels of contribution payable in respect of commercial development based on the gross internal floor area of buildings. Having regard to the nature, form and design of the proposed development, it is concluded that, notwithstanding their modular nature, the proposed sauna units and woodstore would constitute buildings for the purposes of the Development Contribution Scheme. The relevant gross floor area of buildings is therefore determined to be 193-sq.m. Further, the Commission had regard to section 11 of the S.48 Development Contribution Scheme which provides for a reduction in the applicable rate of contribution payable in respect of temporary permissions. Contributions payable should therefore be calculated at one-third of the applicable rate of contribution.

It is therefore concluded the terms of the Development Contribution Scheme were not properly applied in this instance and the planning authority are therefore directed to amend the condition.

Condition no. 3

The Luas Cross City (St. Stephen's Green To Broombridge Line) Supplementary Development Contribution Scheme (under Section 49, Planning & Development Act, 2000 as amended), provides for the payment of contributions on the basis of the floor area of commercial development. Having regard to the nature, form and design of the proposed development, it is determined that the relevant gross floor area of commercial development is 193.4-sq.m., and in particular that notwithstanding their modular nature, the proposed sauna units and woodstore would constitute commercial floorspace for the purposes of the Development Contribution Scheme. Further, the Commission had regard to section 12 of the Supplementary Development Contribution Scheme which provides for a reduction in the applicable rate of contribution payable in respect of temporary permissions. Contributions payable should therefore be calculated at one-third of the applicable rate of contribution.

It is therefore concluded the terms of the Development Contribution Scheme were not properly applied in this instance and the planning authority are therefore directed to amend the condition.

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."

Conor McGrath ADP

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501423-DS-26
Proposed Development Summary	Permission for a period of 5 years for a public sauna facility to include 5 single story modular sauna units with ancillary such as plunge pools, changing facilities and W.C's. The site is adjacent to a Protected structure.
Development Address	Richmond Villas & 9-10 South Richmond Street, Dublin
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?	☐ Yes, it is a 'Project'. Proceed to Q.2.
	☒ No, No further action required.
(For the purposes of the Directive, "Project" means: - 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)	This is a development contribution appeal
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified **in Part 1.**	**State the Class here**

EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☐ 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?	
☐ 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.**	
☐ 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**
☐ 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 ☐	**Screening Determination required (Complete Form 3)**
No ☒	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: ____Conor McGrath____ Date: ________________________