



### Development

Removal of 2 sheds for the change of use and conversion of a former part residential and part creche to use as a family hub which will comprise 10 family hub residential accommodation and all associated site works.

### Location

No. 1 Ashdale Gardens (Eircode : D6WFC85) & Park House, Ashdale Road (Eircode : D6WR270)

### Planning Authority

Dublin City Council South

### Planning Authority Reg. Ref.

WEB2834/25

### Applicant(s)

Coolebridge Ltd

### Type of Application

Permission

### Planning Authority Decision

Grant Permission + Conditions

### Type of Appeal

Third Party Normal Planning Appeal

### Appellant(s)

Meriel Huggard

Richard Collins

### Observer(s)

Dean Magee

Michael and Aileen Mullooly

Brian and Darina Mangan

**Date of Site Inspection**

20<sup>th</sup> May 2026

**Inspector**

Carol Hurley

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## 1.0 Site Location and Description

- 1.1. The subject site contains a pair of semi-detached dwellings on a site with a stated area of 0.147 hectares. The dwellings have their own character and do not reflect the uniform approach to the remainder of Ashdale Road to the south. The structures are not located within an Architectural Conservation Area or listed as protected structures nor are they located on the National Inventory of Architectural Heritage. The rear elevation of the properties address Ashdale Gardens to the southwest.
- 1.2. At the time of my site visit, the building was not in habitable condition and was undergoing works.
- 1.3. The surrounding area is established residential.
- 1.4. The dwellings along Ashdale Road to the southeast are uniform red brick period style dwellings. The cul de sac to the southwest, Ashdale Gardens consists of a combination of styles of dwellings. The rear elevations and private amenity spaces of the dwellings located along Mount Tallant Avenue to the north address the northern boundary of the subject site. Liscombe House is located to the northeast of the subject site and shares a mutual boundary with the subject site. Much like the subject site, Liscombe House has a secluded setting on a proportionately sized site with mature planting.
- 1.5. Terenure Sports Club is located to the southeast. Terenure Road North is to the east where there are a supermarket and a variety of shops for convenience.
- 1.6. Boundary treatment to the south consists of a high wall finished in pebbledash while the eastern boundary to Ashdale Road comprises part block wall part dwarf wall with railings and a curved entrance and gate piers.
- 1.7. At time of my site visit, I observed the availability of on-street parking and traffic flow in the area appeared to be light. The site is readily accessed from Terenure Road to the northeast.

## 2.0 Proposed Development

- 2.1. The applicant originally sought planning permission for the following development;
  - The removal of 2 no. sheds

- The change of use and conversion of a part two storey with attic level and over lower ground floor, former part residential and part creche / Montessori buildings, to use as a family hub.
- The development will comprise:
  - 10 no. family hub ensuite residential accommodation units (1no. at lower ground floor, 4no. at upper ground floor, 4 no. at first floor and 1 no. at attic level)
  - Access from the existing vehicular access from Ashdale Road and 2 no. existing pedestrian entrance gates along Ashdale Gardens
  - Communal and staff facilities including a manager's office/ staff room, a staff room, staff WC, a cleaner's store, a community/ meeting room, buggy storage, residents' storage room, a communal kitchen, a dining room/playroom, laundry facilities and a study room,
- Permission is also sought for interior and external works including;
  - The provision of a window for the en-suite bathroom at lower ground floor level;
  - The provision of centrally located steps and hallway at lower ground floor, upper ground floor and first floor levels and
  - Minor internal works.
- The proposal also comprises;
  - Covered cycle parking and Sheffield stand providing for a total of 10 no. bicycle parking spaces, 6 no. car parking spaces (including 1 no. accessible space and 2 no. EV charging spaces)
  - 2 no. natural play areas
  - A meditation garden
  - 2 no. bin stores
- The development includes for all associated engineering and landscaping works necessary to facilitate the proposed development.

The following documentation was received with the application on 6<sup>th</sup> August 2025 along with standard drawings;

- Planning Report prepared by Hughes Planning and Development Consultants.
- Security and Operational Management Statement (included in the Planning Report)
- Social Infrastructure Map (included within the Planning Report)
- Traffic and Transport Statement
- Proposed Landscape Setting prepared by Park Hood Chartered Landscape Architects
- Landscape Proposals prepared by Park Hood Chartered Landscape Architects

The documentation received on 23<sup>rd</sup> October 2025 in response to the request for Further Information contained:

- Updated Planning Report prepared by Hughes Planning and Development Consultants.
- The proposal was amended to comprise eight family hub units which can accommodate up to 26 persons. Each unit now includes a minimum of 1.5sqm of dedicated storage space and the attic study has been relocated to be directly off the shared living space.
- Updated floor plans prepared by Bright Design Architects.

## 3.0 Planning Authority Decision

### 3.1. Decision

On the 19<sup>th</sup> of November 2025, Dublin City Council issued a Notification of Decision to Grant Permission subject to 12 no. conditions.

Conditions Included;

Condition 1 – Development to be carried out in accordance with the plans and particulars lodged with the application and as amended by Further Information received on 23<sup>rd</sup> October 2025. The permission does not relate to any development

shown on the plans and particulars that has not been adequately stated in the statutory public notices.

Condition 2 – Section 48 Development contribution, €44,928.00

Condition 3 – Temporary permission for a period of three (3) years from the date of the grant of permission.

Condition 4 – Notwithstanding the provisions of the Planning and Development Regulations, 2001, as amended, restrict the use of the development for the purposes of family hub providing temporary/emergency residential accommodation and shall not be used as permanent residential accommodation or for any other purpose without a prior grant of planning permission.

Condition 5 – Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, no advertising signs, structures, banners, canopies, flags or other projecting elements shall be displayed or erected on the building or within the curtilage without a prior grant of planning permission.

Condition 6 – Landscaping scheme accompanying the application to be implemented in full in the first planting season following completion of the development.

Condition 7 – Waste disposal provision and storage.

Condition 8 – (a) cycle parking design requirements, (b) repairs to the public road and services to be at the developers expense.

Condition 9 – Construction hours.

Condition 10 – Noise control during construction

Condition 11 – Construction site management to protect the adjoining street(s).

Condition 12 – Developer to comply with the requirements set out in the Codes of Practice from the Drainage Division, Transportation Planning Division and the Noise and Air Pollution Section.

In considering the application, the Planning Authority sought further information in relation to a number of items, including;

- Clarification whether any of the works proposed under the application had already been carried out. Where works had been undertaken that are not

exempt development under the provisions of the Planning and Development Regulations, 2001, as amended, retention permission should be sought.

- Noting the bedspaces provided for, and referring to the document 'Guidelines on Emergency Accommodation (DHLGH) the applicant was requested to demonstrate how it would be proposed to accommodate family units with three or more persons within the layout. Revisions maybe required.

The maximum number of bedspaces which the development can accommodate should also be stated.

Consider the relocation of the attic study to a location where it would be more accessible from the shared living and dining areas.

- Submit details of any consultation with the Dublin Region Homeless Executive (DRHE) in relation to potential acquisition of the building for use as a family hub. Clarify how the facility would be managed it is not proposed to engage with DRHE as part of the future operation of the development.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- The first report of the Planning Officer dated 29<sup>th</sup> September 2025 set out the description of the site and surroundings, proposed development, the relevant zoning objective, relevant planning history, Enforcement History, Consultations, summary of the observations/representations, relevant Development Plan Policy and Government Guidelines and environmental assessment including screening for Appropriate Assessment and Environmental Impact Assessment.

The assessment noted concerns in relation to the size of the rooms and the ability to accommodate families with three or more persons, full details of any works carried out to the building to date, and to submit details of any consultation with the Dublin Region Homeless Executive in relation to the proposed development.

In response to the request for Further Information, the applicant stated that the works undertaken to date are considered to fall within the provisions of Section 4(1)(h) of the Planning and Development Act, 2000 as amended.

The applicant stated that the proposal had been amended and now comprises eight family hub units which can accommodate up to 26 persons. Each unit now includes a minimum of 1.5sqm of dedicated storage space and the attic study has been relocated to be directly off the shared living space.

The applicant also stated that there has been no consultation with the DRHE in relation to the proposed use of the building as a family hub as the DRHE generally only enters discussions where a development has planning permission and has been confirmed as suitable for the proposed use. The purpose of the application is to therefore establish the suitability of the proposed development for use as a family hub.

- The second report of the Planning Officer dated 17<sup>th</sup> November 2025 accepted the applicant's response to the request for Further Information. The revised details demonstrated eight family hub units which can accommodate up to 26 people. Storage was provided and the attic study was relocated to be directly off the shared living space. Regard was had to the new use, and it was recommended that a temporary permission be granted in order to allow the impact of the proposal to be reviewed over time. A grant of permission was recommended.

### 3.2.2. Other Technical Reports

#### Engineering Department – Drainage Division

The first report dated 25<sup>th</sup> August 2025 stated no objection subject to compliance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

The report was updated to acknowledge the receipt of the response to the request for Additional Information on 30<sup>th</sup> October 2025, this was noted and no change was stated.

#### Air Quality Monitoring and Noise Control Unit

Report of the Environmental Health Officer dated 9<sup>th</sup> September 2025 states no objection to the proposed development subject to the inclusion of conditions such as Construction Management Plan (CMP) to be developed with reference to the 'Construction and Demolition Good Practice Guide' DCC, hours of operation and noise control during the operational phase.

#### Transportation Planning Section

Report of the Engineer dated 8<sup>th</sup> September 2025 notes the following;

- Accepts the proposed provision of 14 no. cycle spaces.
- The proposed layout (Drawing No. 24025-200 Rev.PP.01) demonstrating the provision of 6 no. spaces including 1 no. accessible space is acceptable.
- The Transport Statement is regarded as broadly acceptable. The statement includes a Mobility Management Plan and states that a Mobility Manager would be appointed. This was accepted.
- A Construction Management Plan should be provided by condition. The report notes that on-site parking provision for construction workers is unlikely and the provision of onsite cycle parking should be considered to facilitate travel by sustainable modes. Scheduling of traffic should be reviewed as part of the final CMP.
- Overall, no objection subject to condition.

### **3.3. Prescribed Bodies**

The Planning Authority referred the application detail to Uisce Eireann. No response was received.

### **3.4. Third Party Observations**

Third party submissions received by the Planning Authority can be summarised as follows;

- Proposal is premature pending the determination of PA Ref 0447/24 (referral).
- Proposal is contrary to both national and development plan policy.
- Assessment does not include the HSE facility located at 5 Ashdale House, Ashdale Road or Merrick House, Eaton Square.
- The information required under Policy QHSN28 and Section 15.13.9 of the development plan has not been submitted.

- Concerns that the proposed use is an inappropriate intensification and with regard to the transient nature of the intended occupants. The use resembles that of a hostel which would not be permissible within the Z1 Zoning Objective.
- Community would welcome permanent accommodation where families would integrate into the local community.
- Reference to the residential conservation area zoning objective.
- Impact upon the existing buildings and the residents. The existing residents will be made homeless.
- Park House is in the process of being added to the RPS.
- Intended occupancy is unclear and rooms are too small for families. A maximum occupancy should be set.
- Concerns regarding the future use of the building and the developer should be required to enter into a Section 47 agreement in the event of a grant of permission.
- Impact upon the adjoining area including overlooking and loss of privacy to surrounding houses, increased noise and activity which will impact on the residents of the HSE care facility.
- The proposed development would put a strain on local services, amenities and schools.
- Loss of childcare facility.
- Location of bin storage.
- Traffic flow, safety and parking.
- Building regulations and fire safety.
- Unauthorised works.
- Lack of detail in the planning application documents.
- Validity of the application as works have been underway.

## 4.0 Planning History

### Subject site

**ABP-322400-25 (PA Ref 0447/24)** – Whether the use of Park House is or is not development and whether it is or is not exempted development and whether the use of a residential building to house homeless persons is or is not development and whether it is or is not exempted development. **By Order dated 16<sup>th</sup> December 2025, which postdates the planning history in the Planning Authority’s report,** the Commission decided that the use of a residential building known as Park House and where care is not provided, to house homeless persons does not constitute development.

**ABP Ref PL29/5/87595** – Permission granted in November 1992 for the change of use of part of premises from residential use to Montessori school/creche.

**Condition No. 1** required that the permission would cease after a period of five (5) years from the date of the order unless before that date planning permission for its retention had been granted by the Planning Authority or to An Bord Pleanála, now An Coimisiun Pleanála.

### Enforcement

**PA Ref E1080/24** – The alleged major construction /demolition in absence of planning permission at Park House, 1 Ashdale Gardens, closed due to duplicate or merged file.

### **Ashdale House, Ashdale Road, to the east of the subject site.**

**PL29S.106969** (PA Ref: 0707/98) Permission granted for the change of use from residential to a High Support Hostel. The report of the Planning Authority states that the decision to refuse permission by Dublin City Council was upheld on appeal to the then An Bord Pleanála. From review of Dublin City Council’s interactive planning map, I note that the details state that Dublin City Council refused planning permission however permission was subsequently granted following an appeal to the then An Bord Pleanála. From review of the details, I note that the proposed development envisaged the change of use from residential to high support hostel with a consequent increase in number of residents from 6-10 persons. The dwelling was stated at the time of the application to be in use as a community residence for 6 persons under the care of the

Eastern Health Board. A condition was attached to the grant of permission restricting the number of residents to ten (10) that will be accommodated in the house.

**Merrick House**, Eaton Road, Terenure, Dublin 6W, c.317m to the southeast of the subject site.

**PA Ref: 1555/04** – Permission granted on 20<sup>th</sup> May 2004 for a two storey extension to the existing bedrooms at the sheltered housing complex. The development description stated that the existing 18 no. residents bedrooms would be maintained.

## 5.0 Policy Context

### 5.1. Development Plan

Dublin City Development Plan

The Dublin City Development Plan 2022-2028 is the operative plan for the area. It came into effect on 14<sup>th</sup> December 2022.

The subject site is zoned **Z1** 'Sustainable Residential Neighbourhood', the objective of which seeks to *Protect, provide and improve residential amenities*.

The vision for residential development in the city is one where a wide range of high-quality accommodation is available within sustainable communities, where residents are within easy reach of open space and amenities as well as facilities such as shops, education, leisure and community services. The objective is to ensure that adequate public transport, in conjunction with enhanced pedestrian and cycling infrastructure, provides such residential communities good access to employment, the city centre and the key urban villages in order to align with the principles of the 15-minute city.

Relevant permissible uses within the Z1 Zoning Objective include – assisted living/retirement home and residential.

Relevant uses that are open for consideration include – residential institution, student accommodation.

For the purposes of clarity, I note that the lands to the southeast and part of the lands to the southwest along Ashdale Road are zoned Z2: Residential Neighbourhoods (Conservation Areas)

### Section 14.7.1 – Sustainable Residential Neighbourhoods – Zone 1

The vision for residential development in the city is one where a wide range of high-quality accommodation is available within sustainable communities, where residents are within easy reach of open space and amenities as well as facilities such as shops, education, leisure and community services. The objective is to ensure that adequate public transport, in conjunction with enhanced pedestrian and cycling infrastructure, provides such residential communities good access to employment, the city centre and the key urban villages in order to align with the principles of the 15-minute city.

### Section 14.6 – Transitional Zone Areas

This section recognises the need to avoid abrupt transitions in scale and landuse between zones. It is necessary to avoid developments that would be detrimental to the amenities of a more environmentally sensitive zone.

### Appendix 3 – Achieving Sustainable Compact Growth Policy for Density and Building Height in the City

This section sets out guidance on how to achieve appropriate and sustainable compact growth in the city. A comprehensive set of performance-based criteria are detailed for the assessment of application where significant urban intensification is proposed. These criteria are to ensure that the form and intensity of urban development is achieved that contributes to the overarching objectives of the plan to create sustainable communities and high quality places for people to live and work.

### Section 3.0 Understanding Height and Density – The Strategic Approach

Table 1 – Density Ranges, Table 2 – Indicative Plot Ratio and Site Coverage

### Appendix 5 – Transport and Mobility: Technical Requirements

#### Section 4 – Car Parking Standards, Cycle Parking Standards

Car parking standards are generally to be regarded as the maximum parking provision and parking provision in excess of these maximum standards shall only be permitted in exceptional circumstances

### Section 5.5.5 – Housing for All

This section discusses the various forms of housing for various needs including people with disabilities, homelessness and traveller accommodation.

#### Policy QHSN27 – Homeless Action Plan 2022-2024, A Framework for Dublin

To support the implementation of the Homeless Action Plan 2022-2024, a Framework for Dublin or any subsequent review and the Housing First National Implementation Plan 2022-2026 and support related initiatives to address homelessness.

#### Policy QHSN28 – Temporary Homeless Accommodation and Support Services

To ensure that all proposals to provide or extend temporary homeless accommodation or support services shall be supported by information demonstrating that the proposal would not result in an undue concentration of such uses nor undermine the existing local economy, resident community or regeneration of an area. All such applications shall include: a map of all homeless services within a 750 metre radius of the application site, a statement on the catchment area identifying whether the proposal is to serve local or regional demand; and a statement regarding management of the service/facility.

#### Policy QHSN29 – Temporary Accommodation Located in City Centre

To ensure a review of the existing provision of temporary/homeless accommodation in the city centre, with a specific regard to Dublin 1, 7 and 8. The aim of which should be to reduce the overconcentration of services in those locations and to provide more temporary/homeless accommodation in areas not currently providing such services. There will also be a general presumption against the development and expansion of any new temporary/homeless accommodation services within Dublin 1, 7 and 8, including adaptation of tourist hostels and hotels, in acknowledgement of the existing concentration of such uses. Nothing of this policy will interfere with the Council's humanitarian obligation to provide suitable emergency accommodation to those in need.

#### Policy QHSN33 – Emergency Accommodation

To facilitate and support relevant agencies in the development of emergency accommodation that is socially inclusive, including hostels for homeless individuals of all genders. Applications for emergency temporary accommodation including

applications made by public bodies will be requested to submit evidence to demonstrate that there is not an over concentration of emergency accommodation within an area, including a map showing all such facilities within a 0.75km radius of the proposed location of the new facility.

#### Objective QHSNO11 – Universal Design

To ensure that 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.

#### Section 15.13.9 – Hostels / Sheltered Accommodation / Family Hubs.

Family hubs are described as being emergency accommodation facilities for families who become homeless and who have no alternative other than commercial hotels. Family hubs are not considered long term facilities and will act only as temporary accommodation until housing can be provided under social housing supports, as supply becomes available.

They can comprise of either purpose-built accommodation or conversion of existing residential accommodation for the use as shared living environments. High quality play spaces shall be provided for children in addition to cooking and laundry facilities and communal recreational spaces.

It is important to acknowledge that an oversupply of non-tourist hostel accommodation, social support institutions and family hubs can potentially undermine the sustainability of a neighbourhood. In this regard there is an onus of the applicant to indicate that any such proposal will not result in an undue concentration of such uses.

Criteria are set out that must accompany applications for such uses.

### **5.2. Relevant National or Regional Policy / Ministerial Guidelines**

- National Planning Framework, First Revision, April 2025

The National Planning Framework recognises that increasing housing supply remains the principal solution to resolving homelessness.

- Regional Spatial Economic Strategy 2019-2031

The Eastern Midland Regional Assembly recognises the issue of homelessness as being a critical challenge facing the Region into the future.

It is acknowledged that EMRA does not have an active role in the delivery of housing or in the provision of support services for homeless persons and families, the RSES will set the context for overall housing provision in the Region in the most sustainable locations, within which local authorities and other agencies and bodies will deliver homeless services and accommodation.

RPO 9.6 Support local authorities and other relevant agencies such as the Dublin Region Homeless Executive in relation to addressing the issue of homelessness in the Region.

Housing For All – Seeks to develop a sustainable housing system to address the short, medium and long term challenges. The plan sets out, over four pathways, a series of actions to address the challenge of supporting homeownership and increasing affordability; • eradicating homelessness, increasing social housing delivery and supporting inclusion; • increasing new housing supply; and • addressing vacancy and efficient use of existing stock.

Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness.

Pillar 2: Supporting People

The priority is to focus on ending homelessness and provide the housing supports needed for older people, disabled people and travellers to achieve long term secure housing that meets their needs.

Section 5.1 Focus on ending Child and Family Homelessness.

Government recognises that accessing emergency accommodation has a negative impact on the wellbeing of all individuals and particularly on children. Government will prioritise the needs of children who are experiencing homelessness. Legislative provisions will be introduced to ensure that consideration of the best interests of the child is included in the decision-making process on accommodation for households experiencing homelessness.

- Guidelines for New Emergency Accommodation (DHLGH) (2022).

## Section 6 Accommodation for Families (Non-Single person Households)

Save for meeting the minimum standards, the nature and extent of individual family accommodation will depend on the extent of communal facilities provided, the length of stay anticipated and the number of families being accommodated. The policy accepts that in the event of conversion of an existing premises, some compromises may be necessary. Recommended standards are set out which include,

- each family should have their own bathroom,
- ideally the provision of separate living space, bedrooms accommodating families should allow a minimum of 5.0sqm per bed space with double rooms preferably being a minimum of 11.4sqm with a further 1-1.5sqm of storage,
- adequate dining area which also provide for adequate heating and preparation of food for small children and babies.
- As minimum a study desk should be provided
- Consideration should be given to the provision of a dedicated homework or study space for children as part of the communal area (but potentially separated from).
- Dedicated storage space for buggies
- Appropriately sized shared self-service laundry facilities
- Provision of open space which is shared but private to the residents and includes a children's play area.

### 5.3. Natural Heritage Designations

The subject site is not located within or immediately adjacent to any European Site or other Natural Heritage Site.

The site is located c. 1.7km to the south of the Grand Canal pNHA (0002104), c. 4.3km to the northeast of the Dodder Valley pNHA (000991) and c. 5.3km to the west of South Dublin Bay pNHA (000210).

The subject site is located c. 5.3km to the west of the Special Protection Area for South Dublin Bay and River Tolka Estuary (004024), c. 8.4km to the north of the Special

Protection Area for Wicklow Mountains (004040), c.9.10km to the southwest of the Special Protection Area for North Bull Island (004006), c. 10.2km to the southwest of the candidate Special Protection Area for North Irish Sea (004236).

The subject site is located c. 5.3km to the west of the Special Area of Conservation for South Dublin Bay (000210), c. 8.4km to the northeast of the Special Area of Conservation for Glenasmole Valley (001209) and c. 13km to the west of the Special Area of Conservation for Rockabill to Dalkey Island (003000).

## 6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

See completed Form 1 and 2 on file.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

The Commission received a third-party appeal from **Richard Collins**, a resident in the vicinity of the subject site. The appeal can be summarised as follows;

- Refers to the requirements of Condition No. 4 of the grant of permission in respect of the approved use. Suggest that the concerns of the Commission should relate to the type of accommodation proposed and whether it represents an intensification of the use of the building.
- This is a commercial enterprise, for profit.

- Concerns regarding overcrowding and refers to a development at Houben House, Harolds Cross.
- Requests that the Commission ensure a maximum occupancy in Park House to control the number of occupants.
- Urge the Commission to reverse the decision of the Planning Authority to consider the future use of Ashdale Park House into separate residential units for long term accommodation where families could establish themselves and become part of the community.
- The plans do not demonstrate adequate fire escape facilities.
- The development should provide Access for All to all of the building. Part M of the Building Regulations mandates accessible design to ensure buildings and their environs can be safely and independently used by people of all ages and abilities.
- The application is invalid as the proposed works have been under construction since last February 2025. The work to date has not been minor and has fundamentally changed the use of the buildings and removed the possibility of it reverting to its present use in three years.
- Notes that neither structure is listed but they are buildings of considerable architectural significance. The fact that the ACA status did not include the site should be seen as an oversight. The older five bay Georgian building is now in the process of being added to the Record of Protected Structures as set out in Section 55 of the Planning and Development Act 2000, as amended. (Ref RPS addition 752, Park House, Ashdale Road, Terenure, Dublin 6W)
- Notes the Z1 zoning objective, the development is in effect a 'hostel where care or short-term homelessness accommodation is provided' (DCC Development Plan 2022-2028 Appendix 15 Land Use Definitions). The proposal would further intensify the use as the HSE also run a residential facility for vulnerable adults directly across the road from the site at No. 5 Ashdale House, Ashdale Road.
- An over concentration of such uses can potentially undermine the sustainability of a neighbourhood. Onus will be on the applicant to demonstrate that such

proposed development will not result in an undue overconcentration of such uses nor undermine the local economy.

- Refers to the requirements of Condition No. 1 but contends that all applications pertaining to this site so far have been confusing and lacking detail with opposing information regarding the numbers of residents, staff and type of accommodation to be provided.

The Commission received a third-party appeal from **Meriel Huggard**, a resident in the vicinity of the subject site. The appeal can be summarised as follows;

- Park House and 1 Ashdale Gardens have existed as separate, independent buildings with clear and distinct uses for a minimum of 60 years.
- Proposal to combine the properties constitutes an extinguishing of an existing distinct residential entity for the purposes of intensification of use.
- Intensification of use will lead to significant increased noise levels and activity which will directly impact adjoining dwellings (including that of the appellant)
- Applicants offered no clear indication of a maximum number of expected occupants and staff.
- DCC did not specify any clear upper bounds on the numbers in the grant of permission.
- The decision offers no reassurance that the planned layout as submitted will be adhered to.
- At a minimum it should be clearly indicated that the number of residents should not exceed the 26 bed spaces indicated on the plans submitted by the applicants.
- The development will intensify over-looking into the appellants home and gardens which are directly exposed to the development.
- The development would have a significant and detrimental impact on the peaceable enjoyment of the appellants property.

- The works that have already been undertaken have had a negative impact on the appellants hedge and have given rise to excessive light illumination of the appellants property at night which has had a detrimental impact on right to privacy.
- No neighbourly or community-oriented engagement has taken place by the developers in relation to the long-shared boundary.
- Suggest that No. 1 Ashdale Gardens should be maintained as a separate building in order to protect its existing residential amenities. The proposed family hub buildings in No. 1 Ashdale Gardens be disregarded and removed.
- Two of the residential units in No. 1 Ashdale Gardens will need to be vacated to enable the development which will render the long-term tenants homeless.
- The original planning application does not ensure that the occupancy would be compatible and consistent with the long-term residential character of the neighbourhood and does not consider how the planned conversion will allow for the preservation of the building for future uses.
- Notes the commercial nature of the development and the permission for three years and that the expected layout of the building does not plan for any long-term use of the building, e.g. provision for conversion into self-contained apartments at a later date.
- No sufficient justification provided for the demand for homeless accommodation at this location.
- Concern regarding the planned density of occupation, regard be had to Park House being a home for a single family prior to the transition into use as a creche.
- The grant of permission does not provide for appropriate consideration of civic life and the social and cultural character of the area as well as its architectural and historical context and setting.
- The drawings lack details regarding the changes proposed to the building, accessibility for those with disabilities, egress routes in the case of emergencies.

- The proposed change of use for a three-year period and the necessary provision of on-site staff and management facilities is a significant intensification of the use of the building relative to the past use as a single family dwelling. Even as a creche, the use was operational 8am – 5pm, the intended use would be 24/7.
- Urge that all necessary Building Control measures are fully and rigorously applied.
- The grant of permission does not consider the burden to local services and amenities that the planned intensification of occupation would add.
- The current water and wastewater systems that serve the locality are already under significant strain. The level of structural and groundworks undertaken are beyond the scale one would expect in relation to the submitted plans and appear akin to those for large high double digit occupancy developments.
- Parking constraints in the area. Unreasonable to contend that no vehicles associated with the planned development will ever be parked outside of the premises and that there would be no subsequent increase in the vehicular volume of property owning residents legitimately parking on their residential road.
- The proposed storage facility for refuse, recycling and compost bins has not been adequately considered. The planned placing of bins at the corner of Ashdale Road and Ashdale Gardens will present a significant hazard to pedestrians and traffic.

## **7.2. Applicant Response**

The Commission received a response from the applicant to the third-party appeal on 21<sup>st</sup> January 2026. The response can be summarised as follows;

- Contends that the development as granted by Dublin City Council accords with the proper planning and sustainable development of the area and meets all relevant development management standards in the Dublin City Development Plan.
- The structure of the response is set out under the following headings;  
Alleged Overdevelopment, Intensification of Use and Overconcentration

- In relation to the concerns raised regarding intensity of use and potential overcrowding, this was dealt with by the Planning Authority during the application stage and at Further Information stage (Item 2).
- In response to the request for Further Information, the unit numbers were reduced to 8 with a stated defined capacity of 26 persons. The units were designed to be in compliance with the DHLG Guidelines on Emergency Accommodation.
- An assumption is made in relation to the use and payment practice of the applicant. This is not supported by any evidence and mischaracterises the nature of the permitted development.
- The reference to the use at No. 5 Ashdale Road is not substantiated in the appeal. The applicant contends that there are no known homeless facilities within close proximity to the subject site. No further information requests in this regard were sought from the Planning Authority.
- Only one nursing home is established in Terenure, c. 1.4km to the southwest of the subject site.
- The permission and associated conditions provide for incremental intensification due to the type of use permitted, this is acknowledged in the Planning Officers report.
- No new windows are proposed in the side and rear elevations of the property and assertions as to the future uses and increased occupancy are speculative and not supported by the terms of the permission.

#### Residential Amenity Impacts

- The separation distance between the subject property and the appellants property is acceptable and well in excess of standards outlined in the Dublin city Development Plan 2022-2028 in addition to SPPR1 of the Sustainable Residential Development and Compact City Guidelines. The applicant acknowledges that these standards relate to dwellings with there being no statutory guidelines for the specific proposal of a family hub.

- The Planning Authority assessed the potential impacts and concluded that the development would not give rise to undue impact to the adjacent residential amenity.

#### Building Control Related Concerns

- Concerns are raised in relation to fire safety, means of escape and internal circulation.
- Fire safety is dealt with via the Building Control process unless a proposal is demonstrably incapable of compliance. No such evidence has been submitted in this regard and Dublin City Council was satisfied that the proposed development can achieve full compliance with the applicable fire safety standards.
- The DRHE requires such compliance prior to occupation.
- Universal access is dealt with at detailed design and building control stage. The Planning Authority did not identify any planning deficiency in this regard.

#### Allegations Regarding Application Validity and Unauthorized Works

- This was examined in detail by the Planning Authority. An extract from the Planning Authority's report is included and states 'Having regard to this, it is considered that the information submitted addressed the issue raised.
- No enforcement action or requirement for a retention application was identified.

#### Architectural Character and Heritage

- The subject property is not protected nor is it located within an Architectural Conservation Area.
- The reference to the status of the building being in the initial process of being added to the Record of Protected Structures is unclear.
- In any event the permitted development proposed limited external works and retains the established architectural character of the building.
- Speculative determination cannot be determinative in the assessment of the current application.

Assertions, unsupported by evidence, and weight to be Attached to the Dublin City Councils Assessment

- Assertions contained within the appeals which relate to commercial operation, future intensification and alleged legality are not supported by technical reports or expert evidence.
- The Planning Authority undertook a comprehensive assessment of the proposal having regard to the zoning for the site and the established mixed-use character.
- Weight was attached to the temporary nature of the permission, restriction on use and cap on occupancy and the imposition of detailed operational and amenity-related conditions. These controls significantly reduce the likelihood of the adverse impacts suggested in the appeal.
- Potential impacts identified are either speculative, addressed by condition or to be dealt with under a separate code.

### 7.3. Planning Authority Response

By letter dated 5<sup>th</sup> January 2026, Dublin City Council request that An Coimisiun Pleanala uphold the decision of the Planning Authority.

If permission is granted the following condition to be applied;

- Requiring the payment of a Section 48 Development Contribution.

### 7.4. Observations

7.4.1. The Commission received an Observation from **Dean Magee**, a resident in the vicinity of the subject site. The Observation can be summarised as follows;

- Urge the Commission to take the considerations into account under its de novo power to ensure that any development is consistent with the principles of proper planning.
- Particular concern regarding the omission of existing social infrastructure and the misapplication of zoning law are material to the Commission's decision.
- The Planning Authority have failed to correctly identify the nature of the use as a sui generis institutional use rather than a residential one, accepted an invalid claim of exempted development for extensive works already carried out and failed to assess

the cumulative concentration of social support infrastructure in the immediate vicinity, the high support HSE Hostel directly opposite the site.

- The 'temporary permission' mechanism is an admission of planning frailty. If the use was compatible with the Z1 Zoning Objective, it should warrant a standard duration.
- The decision relies on misinterpretation of 'residential use'.
- Retention should be sought rather than permission. Reference to Cronin (Readymix) Ltd v An Bord Pleanala and Sligo County Council v Martin, works that facilitate an unauthorised change of use cannot benefit from exemption.
- The omission of Ashdale House, the facility operated by the HSE constitutes a failure to assess the cumulative impact of two institutional facilities operating within a residential cul-de-sac, directly engaging the 'over concentration' provisions of Policy 15.13.9. This error alone warrants a refusal of permission.
- Notes the planning history of the site which confirms that there was no authorised base use of a creche at the time the current application was lodged.
- 7 grounds of concern are set out within the observation which are summarised as follows;

#### Material change of use

- Primary consideration in this appeal is the classification of the proposed use.
- The Planning Authority have engaged in a classification exercise that treats the 'family hub' as a sub-set of residential use, permissible in the Z1 zoning objective.
- This contravenes the established legal tests for 'material change of use'
- Refers to the legal test in relation to 'character of use' and 'planning impacts' and case law Monaghan County Council v Brogan in respect of what is 'material'.
- Precedent cases noted – ABP-308540-20 (S.5 referral) which concluded that the change of use from residential to hostel for homeless accommodation involves a level of care, management and transience that distinguishes it materially from standard residential tenure.

- ABP-307064-20 (S. 5 referral), concluded that the current use (meeting a social need) therefore constitutes a change of use from the permitted use (meeting a commercial need) which is a material change of use by reason of providing a different service to a different user group.
- ABP-319436-24 (s.5 Referral) – although the decision was quashed, the Commissions consistent planning logic remains.
- The proposed development is a material change of use to an institutional format.

#### Contravention of Zoning Objective

- Refers to the Z1 Zoning Objective. Contends that ‘hostel’ or ‘institution’ uses are typically restricted to Z2, Z4 or Z8 zones where mixed used is encouraged.
- The introduction of a transient, high turnover accommodation facility into a stable Z1 cul de sac undermines the zoning objective.
- The acknowledgment of the Planning Authority that the use would be a new use into a predominantly residential area confirms that the use would not be inherently compatible with the ‘protection’ of residential amenity.
- The commercial nature of the proposed development is incompatible with the zoning objective.
- Condition No. 4 is used to prevent the use from becoming permanent residential. The use is justified under the Z1 zoning objective as it is ‘residential’, however it is restricted from becoming permanent residential. If the use is not permanent residential it is temporary / emergency accommodation (i.e. hostel) hostels are not permitted use in Z1.
- Given the intensification of use, the proposed development would materially contravene the Z1 zoning objective.

#### Invalidity of Section 4(1)(h) Exemption

- A substantial portion of the applicant’s submission relies on the claim that structural works carried out in 2025 were exempted development. This was accepted by the Planning Officer, and this is legally flawed and renders the decision vulnerable to judicial review.
- Refers to the case of Cronin (Readymix) Ltd v An Bord Pleanala IESC 36.

- Contends that by the Planning Authorities acceptance of the works as being exempt, the Planning Authority engaged in 'project splitting' which is contrary to the Cronin Principle.
- Refers to Sligo County Council v Martin IESC 146 which establishes that Section 4(1)(h) exemptions do not apply to unauthorised structures or uses.
- The authorised use of the site (creche) expired in 1997. The residential use was deemed to have been abandoned, therefore at the time of the works, the use of the site was unauthorised
- By processing this as a standard permission, the Council has effectively sanitised unauthorised works without the benefit of retention fees or statutory notices. This procedural flaw invalidates the permission.
- In relation to the railings and gates, the removal of granite cappings and railings was stated to be temporary by the applicant, however the physical removal of boundary treatments in a Z2 adjacent area materially effects the external appearance. These are not internal works and do not qualify for an exemption.

#### Overconcentration of social infrastructure

- Refers to Policy 15.13.9 of the Dublin City Development Plan 2022-2028.
- A map of all social support services within 750m of the site is required.
- The details omitted Ashdale House which is a high support hostel directly across the road from the subject site.
- The Planning Authority cannot have assessed 'over concentration' when this facility was omitted.
- Cluster impact of the proposed development taken together with Ashdale House.
- The cumulative impact of these two services and their associated requirements and servicing fundamentally undermine the residential sustainability of the street.
- To grant permission in the absence of a correct social infrastructure audit constitutes a material contravention of Policy 15.13.9.

#### Residential Amenity and Safety (Single Staircase)

- The proposed development relies on a single historic staircase to serve an intensified population of up to 26 residents plus staff across four levels.
- In institutional settings, a single circulation core leads to congestion, noise, and management difficulties.
- The Commission has previously refused permission for developments where the internal layout provided for inadequate means of escape or substandard accommodation. Reference to ABP-311135-21 which was refused having regard to a Chief Fire Officers report on inadequate escape routes as a reason for the development being substandard.
- Third party's highlight the escape from the attic as being convoluted and confusing.
- Reliance on a single staircase dating from 1830 for mass egress is a planning failure, indicating the building would be beyond its safe carrying capacity.
- The report of the Planning Authority confirms the units were revised to meet minimum 'family hub' standards, however these standards are for emergency accommodation.
- No private open space and cramped living.
- While called emergency, families often remain in hubs for 12-24 months. The layout represents a low standard of residential amenity that while compliant with emergency accommodation is inappropriate for a site in a Z1 zoning objective.

#### Traffic and Technical Inconsistencies

- Inconsistencies in the documentation that render the Traffic Impact Assessment (TIA) unreliable.
- Ambiguity in relation to unit numbers, occupancy and staffing mean that the Commission cannot rely on a technical report that contradicts the architectural plans and operational statement.
- The TIA failed to model the cumulative impact of traffic to be generated by the proposed use alongside the existing traffic generated by Ashdale House (the HSE facility across the road).

#### Lack of Demonstrated Need and Conflict with DRHE Operational Policy

- Contradictory evidence on DRHE engagement. As part of the response to the request for Further Information, the applicant submitted that no engagement had been undertaken with the DRHE. Based on information obtained by the Observer, that the property was offered to and refused by the DRHE.
  - The reason for refusal was due to the fact that the DRHE refused to engage because appropriate planning was not in place and DRHE confirmed that their policy is not to take on properties that would displace existing tenants.
  - The Planning Authority has granted permission based on the perceived social need, yet the intended state partner has ruled the site unsuitable due to the unethical displacement of the current long-term residents at 1 Ashdale Gardens.
  - The development therefore has no net social benefit but is a speculative commercial hostel designed to bypass Z1 residential protections. The failure of the Planning Authority to verify the stance on this specific site represents a major procedural oversight.
- Contends that given the material errors of fact and law identified, any decision to uphold the grant of permission remains susceptible to legal challenge by way of Judicial Review in the High Court.

7.4.2. The Commission received an Observation from **Aileen and Michael Mullooly**, residents in the vicinity of the subject site. The Observation can be summarised as follows;

- Notes the enforcement proceedings on the site with respect to amendments to the entrance way as being unauthorised. Also noted are the intensive works and unauthorised development which has been carried out to the property over the last year which have been the subject of complaints to the Enforcement Department.
- Building waste from another site was brought onto the subject site in breach of waste management legislation.
- The level of noise and traffic disruptions for the current works demonstrates a disregard for the neighbouring residents.

- Having regard to the existing tenants in the property, reinforces the view that the development will not be managed or maintained in a way that is compatible with the residential character of the neighbourhood.
- Refers to the Z2 Zoning Objective for the site and the existing character of the area and the impact on the local community is a valid consideration in this appeal.
- The development would be a significant intensification of use. It is likely that many residents would use the property on a short-term basis. Significant volume of people visiting and increased volume of waste energy and noise with 24/7 security and provision of medical care.
- The applicant has not indicated an end user for the proposed facility.
- Contends that this is a residential area made up of families and older people. The proposed change of use to facility / institution will change the special and distinct residential character of the area and the spirit of the community. Children and older people will move less freely from house to house and road to road. This will impact on older people and will impact on children playing locally or moving freely to the local park.
- There are more suitable and available sites locally, even within the ownership and control of State Agencies) which could be developed with significantly less impact than the proposed development.
- The applicant makes no reference to the HSE facility located across the road within 20m of the subject site. An assessment should have been undertaken as to the impact this proposed change of use would have on the residents of that established facility.
- Impact of intensification of services where there is an existing service whose residents have become an integral part of the local community.
- Open nature of the site and potential for security issues and be a target for protests or attacks that have happened in other places. Having regard to the location of the subject site, it is foreseeable that a situation could arise where the safety and security of local residents would be compromised. A policing assessment of the location should have informed the local authority's decision.

- The proposed change of use will impinge on the neighbouring resident's privacy and the quiet enjoyment of their property.
- The building itself is suitable for housing, creche or nursing home development but totally unsuitable and contrary to the proper planning and development of the area as a facility to accommodate persons in an institutional setting.
- Lack of consideration for fire safety legislation and regulations.
- Several bedrooms fall below the minimum size.
- The proposed provision of 6 no. car parking spaces is excessive given that the number of parking spaces is strictly limited for the local community.
- Submitted that the development should be refused permission as the proposed scheme constitutes a material change of use which is contrary to the proper planning and sustainable development of the area.

7.4.3. The Commission received an Observation from **Brian and Darina Mangan**, residents in the vicinity of the subject site. The Observation can be summarised as follows;

- Conflict with the Dublin City Development Plan 2022-2028. Presumption against dedicated short term or transient rental accommodation regard being had to the adverse impacts to the long-term housing supply. Policy QHSN28 is clear that temporary accommodation should not lead to an undue concentration of such uses or undermine local communities and regeneration.
- The proposed use by the applicant on a commercial basis is fundamentally incompatible with Section 15.13.9 of the Dublin City Development Plan 2022-2028 when located within a Z2 Residential Conservation Area. The development would materially erode the character, amenity and sustainability of this residential conservation street.
- Proposal is inconsistent with the emergency and transitional nature envisaged by Section 15.13.9 and risks establishing a de facto long term institutional use in a location unsuited to it.

- The plans describe the number of bed spaces to equate to 22 people. There is no clear stipulation on the maximum planned occupancy. This lack of clarity makes it impossible to properly assess the proposals compliance with the development plan.
- The applicant ignores fire safety legislation and regulations. The plans and drawings are short on detail of fire emergency and escape infrastructure.
- Within 20m of the subject site is an existing HSE operated facility residential facility. The application fails to acknowledge or assess this nearby use. Having regard to this existing use a proper assessment of the potential impacts arising from the proposed change of use on the residents of this established facility should have been undertaken where these residents have become an established and integrated part of the community.
- Concerns regarding the cumulative impact and intensification of similar services in the area.
- Lack of consultation with the local community.
- The existing residents will be evicted with no alternative accommodation. At a time of acute housing need, the loss of potential long term residential accommodation is wholly inappropriate. Short term and transient tenancies undermine neighbourhood cohesion, reduce security of tenure and place extra strain on local amenities without contributing to community life.
- The proposal would be inconsistent with National and Political Housing Priorities by expanding transient landlord driven models instead of prioritising sustainable, affordable and long-term housing for residents.
- Ambiguous nature of the approved use which lacks clarity as to its operational purpose duration and intensity. This ambiguity gives rise to the potential for incremental intensification of services on the site over time without adequate assessment of cumulative impacts on residential amenity, local services or community balance.
- Concern regarding the applicant's status and that the proposal appears to have been assessed with a level of flexibility and tolerance that would not ordinarily be afforded to smaller applicants within a Z2 Residential Conservation Area.

- The proposal is at odds with local political endorsed initiatives such as the Terenure Age Friendly Programme.

## 8.0 **Assessment**

### 8.1. **Introduction**

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the 3<sup>rd</sup> Party Appeals, First Party Response to the 3<sup>rd</sup> Party Appeal and Observations, the reports of the Local Authority and having visited the site and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows;

- Principle of Development
- Compliance with Section 15.13.9 of the Development Plan
- Scope of Appeal
- Scale of Development
- Residential Amenity (Internal)
- Residential Impact to Surrounding Amenities
- Conservation, Architectural Heritage and Visual Impact
- Traffic and Parking
- Other Matters
- Appropriate Assessment
- Water Framework Directive Screening

### 8.2. **Principle of Development**

8.2.1. The subject site is located within the Z1 Zoning Objective of the Dublin City Council Development Plan 2022-2028.

- 8.2.2. The specific use as a 'family hub' is not listed as a use which is permissible or open for consideration within the development plan. The Planning Authority noted that the use as a family hub is not listed as a separate use under any of the zoning categories. The Planning Authority considered the use to be residential in nature.
- 8.2.3. I note that uses such as a retirement home / assisted living are listed as permissible uses within the Z1 Zoning Objective. These uses also require servicing and staffing and provision of parking.
- 8.2.4. I note that Observations refer to the use as 'institutional' or sui generis institutional. While I do not necessarily agree with this comparison in terms of the use being institutional as no care is to be provided, I do note that the use as a 'residential institution is also listed as a use which is open for consideration within the Z1 Zoning Objective.
- 8.2.5. Having regard to the development description and the details in the plans and particulars, I am also satisfied that the use can be considered residential in nature. I also refer to ABP-322400-25 which relates to the subject site whereby the Commission by Order decided that the current use of the building as a residential use and the intended use to house homeless persons where care is not provided are both residential uses and therefore does not constitute a material change of use within Section 3 of the Planning and Development Act 2000, as amended.
- 8.2.6. I note that in the report of the Planning Authority it was considered that the use would be a more intensive form of residential use. I do not consider this to be relevant to the assessment in terms of the acceptability of the principle of development. Consideration of the principle is whether the use accords with the zoning objective. I submit that an apartment development could be considered an intensive form of residential development however there is no caveat associated with the use of residential within the Z1 Zoning Objective as to whether it is intensive or not. Consideration of the intensity of the development under Section 8.5 below.
- 8.2.7. Section 14.3.1 of the Development Plan, 'Permissible, Non-Permissible Uses and Unzoned Lands' sets out that there will be a presumption against uses not listed under the permissible or open for consideration categories in Zones Z1, Z2, Z6, Z8, Z9, Z11, Z12 and Z15 and that other uses will be dealt with in accordance with the overall policies and objectives in the plan. While I note that the specific use is not listed, I am

satisfied that it is a form of residential development and therefore I have considered to be acceptable within the Z1 Zoning Objective subject to consideration against the overall policies and objectives of the plan and to permit same would not be in contravention of Section 14.3.1 of the Dublin City Development Plan 2022-2028.

8.2.8. I acknowledge the concerns raised within the appeals and observations regarding the loss of long term existing residential units to provide for short term emergency accommodation. I have considered this issue in the context of the objective of the Z1 Zoning, the objective of which seeks to protect, provide and improve residential amenities. It is submitted within the observations that this would be contrary to the operational policy of the Dublin Homeless Region Executive. I contend that this is outside the scope of this appeal. I submit that there is no policy within the development plan or housing strategy in this regard. I contend that there is no policy basis to refuse planning permission for the proposed form of residential development in this regard.

8.2.9. I am satisfied that the use is 'residential' in nature and can be accepted within the Z1 zoning objective.

8.2.10. I note that Observations referred to the site as being within the Z2 Zoning Objective, I can confirm that the site is within the Z1 Zoning Objective and was assessed correctly by the Planning Authority. Lands surrounding the site are located within the Z2 Zoning Objective.

8.2.11. The subject site while being within the Z1 Zoning Objective is contiguous to lands zoned Z2 'Residential Neighbourhoods (Conservation Areas)'. I refer to the policy relating to Transitional Zone Areas, Section 14.6 of the Development Plan. I am satisfied that having regard to the residential nature of the proposed development, the context of the subject site and the limited external works which are proposed, the development does not constitute an abrupt transition in scale that would be detrimental to the amenities of the contiguous Z2 zoned lands.

8.2.12. Policy QHSN28 and Section 15.13.9 of the Development Plan set out the requirements for consideration of uses such as family hub accommodation.

8.2.13. I refer to Section 15.13.9 of the development plan, 'Hostels/Sheltered Accommodation/Family Hubs whereby a family hub is described as emergency accommodation facilities for families who become homeless. Family hubs can comprise of either purpose-built accommodation or the conversion of existing

residential accommodation for the use as shared living environments. I would contend that the description of this use is comparable to residential accommodation.

8.2.14. I refer to the concerns raised in relation to the material change of use and case law noted. I would submit that the applicants are seeking permission for development therefore the issue of materiality does not arise. My assessment considers the development that has been applied for.

### 8.3. Compliance with Section 15.13.9 of the Development Plan

8.3.1. Section 15.13.9 of the development plan requires that all applications for such uses to include specific information.

8.3.2. The policy requires that a map of all other homeless and other social support services within 750m radius of the application site be provided. I note that a map was provided as part of the original application (Figure 23 of the applicants Planning Statement) to demonstrate that there are no homeless or other social support facilities within 750m of the subject site.

8.3.3. Concerns were raised from the third parties regarding the lack of consideration of the facility operating at Ashdale House which is under the remit of the HSE and together with the proposed development on the subject site would constitute an overconcentration of such uses. In response to the concerns raised, the applicant contends that the reference to the alleged residential facility is not substantiated within the appeal. It is submitted that nursing homes are dealt with under separate legislative frameworks and do not constitute homeless accommodation or family hubs for the purposes of Development Plan policy. The applicant contends that in line with Section 15.13.9 of the Development Plan, there are no known homeless facilities. The applicant submits that there is one nursing home established in Terenure and is located approximately 1.4km to the southwest of the subject site and that this was not raised as an issue by the Planning Authority.

8.3.4. It is evident from the Planning Statement accompanying the application that an assessment of similar uses within 750m of the site was considered by the applicant. I do acknowledge that the planning history of Ashdale House was not accounted for by the applicant. Furthermore, I also note that the Planning Officers report referred to an

incorrect decision for the planning history associated with Ashdale House. While the report referred to the third parties' reference to the facility, the assessment did not comment on the omission from the submitted map. I note that an Observation refers to Ashdale House as being 5 Ashdale Road, however I refer to the address as provided in the original application (PL29S.106969) as being Ashdale House. As part of the response to the appeal, the applicant sought to address the omission of the facility at Ashdale House but referred to the contended use as being 'alleged' and not substantiated in the appeal. The applicant further referred to the use of nursing homes and their remit being under HIQA and as such do not constitute homeless accommodations or family hubs for the purposes of Development Plan policy. Notwithstanding the applicant's response, I note for the purposes of clarity, that PL29S.106969 granted permission for the change of use from residential to use as a High Support Hostel on lands at Ashdale House, Ashdale Road, opposite the subject site. This granted permission for the use of a High Support Hostel to accommodate maximum ten (10) people, which is set out in a condition.

8.3.5. From my assessment, I note that Houben House Family Hub is located at Mount Argus, c. 789m (as the crow flies) to the north of the subject site and outside the scope of the requirements of the development plan policy.

8.3.6. I also note that there is another high support hostel which was granted permission at 25 Greenmount Road, Terenure. This is located c. 758m to the southeast of the subject site and therefore marginally outside the scope of the requirements of the development plan policy.

8.3.7. I also refer to a third-party submission received by the Planning Authority which highlights Merrick House, located c. 317m to the southeast of the subject site. This site appears to be in use for sheltered housing for older people.

8.3.8. From review of the development plan, I would consider that the requirements of Policy QHSN28 and Section 15.13.9 refer to the provision of such services and associated support services with addressing homelessness.

8.3.9. I note that Policy QHSN28 only requires the inclusion of all homeless services within a 750m radius of the site to be set out on a map. I consider that there are inconsistent requirements between Policy QHSN28 and Section 15.13.9 of the Development Plan

as Section 15.13.9 requires the map to detail all homeless and other social support services.

8.3.10. I note that the development plan does not define a quantum of what an over concentration of such would be. Notwithstanding the foregoing, while I acknowledge the concerns of the third parties with regard to over concentration of such uses, based on the information before me and my assessment regarding the additional use at Ashdale House, I do not consider that the subject development with a limited scale when taken in conjunction with the use of Ashdale House which is also of a limited scale would comprise of an overconcentration of such uses. I do not accept that the use of the subject site as a family hub would undermine the sustainability of the neighbourhood in which it is located. I would also contend that the future occupants of the subject site and the occupants of Ashdale House do not have the same requirements in respect of required care and subsequent pressure on services.

8.3.11. The applicants Planning Statement provides a statement on the catchment area and submits that while such uses are generally located within the city centre, the subject location provides a balanced geographic response to homelessness and intends to serve the local demand for emergency family accommodation in the Dublin Metropolitan Area. The applicant has provided a breakdown of the amenities in proximity to the subject site in addition a social infrastructure map.

8.3.12. I note that the scale of development has been reduced on receipt of the response to the request for further information, however the statement sets out that it is intended that the use would operate at full capacity on an ongoing basis. Section 15.13.9 of the Development Plan requires an assessment of the impact upon the public realm and quality environment. Having regard to the context of the site and the minimal external works proposed to the existing structure and the provision of an enhanced garden space for future occupants, it is stated that there would be no undue impact to the public realm envisaged. I also note that the landscape plan indicates the external boundaries within the streetscape and the existing mature trees will be maintained which will ensure the protection of the character of the area and in my opinion will mitigate for undue impact to the public realm.

8.3.13. A Security and Operational Management Statement accompany the application details.

- 8.3.14. Having considered the documentation on file, the report of the Planning Authority and the concerns of the third party appellants and observers, I am satisfied that the applicant has provided sufficient information in relation to compliance with Policy QHSN28 and Section 15.13.9 of the Dublin City Development Plan 2022-2028.
- 8.3.15. Policy QHSN29 of the Development Plan refers to provision of such services in specific areas of Dublin, namely 1, 7 and 8 and sets out that there is a presumption against the provision of temporary/homeless accommodation services within these areas. The subject site is located within Dublin 6 and to permit the development would not be in contravention of this policy. In any event, Policy QHSN29 includes a caveat to state that nothing of this policy will interfere with the Council's humanitarian obligation to provide suitable emergency accommodation to those in need. I am satisfied that the subject development does not give rise to the need to invoke the use of this caveat.
- 8.3.16. It is submitted that the use of a temporary permission is an admission of planning frailty and if the use was compatible with the Z1 Zoning Objective, it should warrant a standard duration. I note the observers concerns in this regard however I would highlight the policy associated with Section 15.13.9 of the Development Plan which set out the provision to grant permission with a limited duration and the use on a temporary basis. I acknowledge that the development plan does not expand upon the reasoning for requiring limited durations. The Planning Officer justified the inclusion of the condition as this would be a new use into a predominantly residential area and this would enable the impact of the development to be revised over time. Given that this is not a use identified as permissible in principle, to be assessed against the other policies and objectives of the plan, such an approach may be regarded as appropriate. I am satisfied that this is a form of residential use albeit a new form and I would agree that the use of a condition requiring a temporary permission is an effective tool for monitoring integration during the operational phase. I also submit that a temporary permission will also enable a further assessment as to the need for such use. I recommend that a condition to this effect be included.
- 8.3.17. I refer to the concerns raised regarding the long-term future use of the buildings and the capability for adaption. Within the planning statement which accompanied the application, I note that the applicant considers that the development

would allow for future adaptation as a permanent social housing scheme, should the need arise. The applicant states that conversion could be undertaken with relative ease. I do not consider that the development would preclude its longer-term adaptation to housing use.

8.3.18. Following review, I would concur with the assessment of the Planning Authority in respect of the Zoning Objective and nature of the proposal and submit that the proposed development would accord with the Z1 Zoning Objective. The principle of the development accords relevant Development Plan policies and objectives.

#### 8.4. **Scope of Appeal**

8.4.1. At the time of my site visit, it was evident that work is ongoing at the site. For clarity, the site was accessible however I was not inside the structure. The structure is enclosed within scaffolding and is at present not habitable. The applicant's response to the request for Further Information set out that the works undertaken fall within the provisions of Section 4(1)(h) of the Planning and Development Act 2000, as amended and seek to enhance the internal layout. I note that the applicant's response to Item 1 of the request for Further Information sets out an itemised list of internal and structural improvement works. The applicant submitted that the works enhance the internal layout which was previously characterised with varying floor levels, narrow corridors and inconsistent wall partitions without changing the external form of the building.

8.4.2. The applicant's response to the appeals states that the issue was examined in detail by the Planning Authority with the Planning Authority contending that information submitted addressed the issues raised. I do not consider that the Planning Authority assessed the issues raised in the scope of whether or not the works were exempt, as the report explicitly noted that the onus would be on the applicant to ensure that all works carried out meet the criteria for exempted development. Based on the applicant's submission, I do not consider that works which have been undertaken undermine the application for which permission is being sought.

8.4.3. I also acknowledge that the permission for the creche had expired notwithstanding it had continued operating, the applicant is seeking permission for a new use and therefore this issue does not undermine the nature of this application.

8.4.4. I also note that by ABP-322400-25 concluded on the 19<sup>th</sup> of December 2025 that the use of a residential building known as Park House and where care is not provided to house homeless persons is not development.

8.4.5. Notwithstanding the foregoing, the matter of enforcement falls under the jurisdiction of the of the Planning Authority and is outside of the scope of this appeal.

8.4.6. Issues have been raised in respect of fire safety. I also note the third parties' reference to ABP-311135-21 as a precedent for refusal of permission on the basis of a report from the Fire Safety Officer. I have reviewed this case at a high level and confirm, the development in this instance was granted by the then An Bord Pleanála.

8.4.7. Issues were also raised in respect of universal access; I refer to Section 15.4.4 'Inclusivity and Accessibility of the Dublin City Development Plan which sets out that development proposals must be designed to meet the mobility needs and convenience of all. The policy continues to set out that Dublin City Council will have regard to the Universal Design Guidelines for Homes in Ireland, Housing Options for Our Aging Population and Buildings for Everyone: A Universal Design Approach 2012 and will seek to encourage the implementation of best practice standards with regard to access in relation to both indoor and outdoor environments. I note that Objective QHSNO11 and Section 15.5.8 refer to apartment and larger housing schemes. As part of the applicant's response, it is stated that there is a Part M Compliant room at lower ground floor level. Considering the foregoing, having regard to the size of the development, I am satisfied that there is flexibility in the policy in relation to the requirement to provide information regarding the provision of universal access for developments below fifty (50) units and the development as proposed would not be a contravention of the plan in this regard.

I also refer to the response of the applicant which states that it is acknowledged that the Dublin Region Homeless Executive requires compliance with fire safety prior to the occupation.

8.4.8. I acknowledge the concerns raised however in the absence of technical information to demonstrate otherwise, I do not have a basis on which to conclude that the development would not be acceptable in terms of accessibility and fire safety. This matter would therefore fall to be considered under separate codes and would not warrant a refusal of permission in this instance.

## 8.5. Scale of Development

8.5.1. Substantial concern is raised within the third party appeals and observations in relation to the intensification of use that would arise from the proposed development. The development was reduced to eight units in response to the request for further information. While I acknowledge that this is not a residential apartment development, as an indication of the intensity of the development I have considered the density, plot ratio and site coverage as set out in Appendix 3 of the Dublin City Council Development Plan.

The development yields a density of 54 dwellings per hectare (8 units / 0.147ha), plot ratio of 0.478 and a site coverage of 48%.

I would contend that the scale of the development on the site accords with Table 1 and 2 of Appendix 3 for a site in the outer suburbs.

8.5.2. I acknowledge from the appeals and observations received that there would be a preference for apartments to be provided for long term residential accommodation.

8.5.3. I submit that the provision of 8 units for the purposes of a family hub accommodation or the provision of an apartment development on a site which was by origin in use as a single dwelling, and most recently in use as 4 no. apartments and a creche will in each instance be an intensification of use over the original use as a single dwelling.

8.5.4. Concerns have been raised in relation to the pressure on water services in the area. I note that the Planning Authority referred the proposed development to Uisce Eireann and no response was received.

8.5.5. The subject site is located within an inner suburb in close proximity to transport, amenities and services. In relation to potential capacity issues within surrounding schools, I note that the document entitled Guidelines for Development of New Emergency Accommodation, acknowledges that for children experiencing homelessness, continuity by way of attendance at their existing school is likely to be preferable and recognises that easy access to reliant transport maybe of a greater importance than access to a new school. I would submit that the site is within easy walking distance to Terenure Road North and surrounding area, which is served by the following bus services 16, 16D, 49, S2 and S4. In this regard I would consider that the sites location proximate to reliable transport would likely enable children to remain in

their existing schools and therefore ameliorate for any impact where capacity issues present in the nearby schools.

8.5.6. I would submit that any residential redevelopment of the site would also give rise to demands on services and amenities in the area. I submit that both the proposed use and that of an apartment development would likely generate activity in excess of the existing status.

8.5.7. Furthermore, I note concerns were raised with regards to the transient nature of the occupants of the development and that there would be no integration of the residents within the community. I would submit that these specific concerns have not been explicitly substantiated. I also submit that apartments for rent could also see a high turnover of residents who may or may not integrate within the community.

8.5.8. The third parties submit that there is ambiguity regarding the potential occupancy of the building. I note that the applicant originally sought permission for 10 no. family hubs. In response to the request for Further Information, the amended plans detailed the provision of eight family hubs and a stated maximum occupancy of 26 people, inclusive of adults and children depending on the family composition. I am satisfied that the applicant provided this clarity as part of the response to the request for Further Information. In the event of a grant of permission, I recommend that a condition should be included to clarify the maximum occupancy of the structure.

8.5.9. I am satisfied that the scale of development is acceptable and does not constitute an inappropriate over development of the site.

## **8.6. Residential Amenity (internal)**

8.6.1. In terms of internal amenity standards, I am cognisant that the units are not that of a typical apartment development intended for permanent residential occupancy and therefore are not required to demonstrate accordance with Planning Design Standards for Apartments, Guidelines for Planning Authorities, 2025. The premise behind family hub accommodation is to assist families experiencing homelessness and seeks to provide a normal life for families and especially for children. In this regard, the document Guidelines for Development of New Emergency Accommodation sets out internal amenity standards.

As part of the request for Further Information, the Planning Authority raised concerns regarding internal amenity. The applicant was requested to demonstrate how the units would accommodate families with three or more persons. In response to the request, the applicant reduced the number of units being proposed to eight and set out how the proposal accords with the document 'Guidelines on Emergency Accommodation'. I am satisfied that the units generally demonstrate accordance with the guidelines.

8.6.2. From review of the plans, I note that Unit 7 appears to be split between two units 7(a) and 7(b)6. There is only one bathroom which is located in room 7(a). The guidelines set out that each family should have their own dedicated bathroom. In the event of a grant of permission, I would recommend that a condition be included that this unit not be shared between two families.

8.6.3. Third party concerns were raised in relation to the lack of private amenity space. The development proposes several areas of open space within the site that is private to the development and communal to the occupants. I am satisfied that this accords with Section 6 of the Guidelines for New Emergency Accommodation.

8.6.4. I am satisfied that the plans submitted in response to the request for Further Information generally demonstrate an appropriate internal residential amenity.

## **8.7. Residential Impact to Surrounding Amenities**

8.7.1. Concern has been raised in relation to the lack of consideration given to the residents of the HSE facility which is located to the east of the site and the impact the subject development would have upon the occupants of Ashdale House. The concerns are noted. I consider that the development proposed on the subject site is not significant in scale and together with the intended occupants being families would not give rise to undue impact to the residents of Ashdale House.

8.7.2. I welcome the concerns of the residents of the area in respect to the residents of the HSE facility however I also contend that An Coimisiún Pleanála is not in receipt of an appeal from the HSE.

8.7.3. The layout of the existing structures on the site is such that the front (north) elevation of the dwelling opposes the rear elevations and private amenity spaces of c. 4 no. dwellings along Mount Tallant Avenue. The layout of the site associated with Liscombe House is such that the rear garden is located to the northeast of the

subject site. The subject site and Liscombe House do not have a conventional layout.

8.7.4. The Site Layout Plan indicates that the north elevation of the subject building is set off the mutual boundary with the dwellings along Mount Tallant Avenue by 13.6m. The building is set off the southwest boundary of Liscombe House by c. 11.5m at the closest point.

8.7.5. Having regard to the separation distance off the mutual boundaries and consideration of the positioning of the subject building on the site I am satisfied that the proposed development will not give rise to an intensification of over-looking of surrounding private amenity spaces.

8.7.6. I note the presence of existing windows on the southwest side of the building at lower ground and upper ground floor levels. As part of the original proposal, at upper ground floor level these windows were indicated to serve an en-suite and a living area. The updated plans submitted as part of the response to the request for Further Information indicate that these windows would now serve a bedroom and a bathroom. I note the presence of 3 no. windows at first floor level in the side (east) elevation of the adjacent dwelling, No. 3 Ashdale Gardens. I acknowledge that the window within the subject building is c. 3m off the mutual boundary but addresses the front garden area and I am satisfied that the directionality of the window is such that there would be no undue conflict in relation to over-looking.

8.7.7. Concerns were raised in relation to excessive light illumination of the appellants property arising from the works which have already been undertaken. While my assessment considers the impacts likely to arise from the proposed development, I would contend that this an urban site within an established residential area where streetlights and lighting associated with residential development is characteristic of the area. From site visit I also observed that the subject site and appellants site are larger than traditional residential sites and have mature landscaping which further ameliorates for any perceived impacts.

8.7.8. I acknowledge the concerns raised in relation to an increase in noise activity as a result of the intensification of use. As I have previously noted, the site is located within an established residential area. While the site was originally in single dwelling use, I note that permission, albeit temporary, had been granted for use as a creche and

operated on the site for a substantial period of time. This temporary permission has since expired. I also note that a preference from the submissions received is for long term residential units within the site. It is my opinion that an apartment development would also generate similar issues arising from intensification such as perception of over-looking, light spillage and increased noise levels.

8.7.9. An Observation refers to the residential character of the area that is made up of families and older people and that the proposed development would change the special and distinct residential character of the area and would restrict the movement of people within the area. I contend that the intended occupants of the structure will be families and that the nature of the use is one which has the potential to integrate appropriately within the established character of the area without undue detriment.

8.7.10. Safety has been raised as a concern; I note that the application documents include a Security and Operational Management Statement which has been provided in accordance with the requirements of Section 15.13.9 of the Development Plan. This plan sets out that the facility will operate on a twenty-four seven basis where residents will have continuous access. Staff will be on site as required during office hours to manage day-to-day operations, provide support and coordinate services. The report states that essential services and support will remain available outside of office hours as needed. The report states that the facility will be monitored by a CCTV which will be installed throughout public areas and grounds. Access points will be controlled to ensure that only authorised personnel and residents can enter the facility. The remote security team will manage access and respond to any security concerns in coordination with onsite staff. A comprehensive security system, including CCTV, alarm response and emergency protocols will be in place. The report states that the inclusion of these services and measures will ensure a secure and safe living environment. I consider that the applicant's response and consideration to the security of the site is reasonable.

8.7.11. The concerns raised regarding the negative impact which has arisen to the appellants hedge is a civil issue.

8.7.12. I am satisfied that the context and merits of the subject site development would not give rise to undue residential impact. I also submit that the inclusion of a temporary condition would ensure that in the event issues arose during the operational period, they could be addressed in any subsequent application to continue the use.

8.7.13. It is contended that there has been no engagement or consultation between the developers and the immediate community in relation to the proposed development. I do note that the Security and Operational Management Statement which accompanies the application (included within the applicants Planning Statement) states that to ensure the smooth opening of the Family Hub, early and proactive engagement with the local community is prioritised. It is further stated that the communication strategy includes for the briefing of residents early in the process. It would appear that engagement with the community is the intention of the applicant however, I acknowledge that there is no requirement under the Planning and Development Act 2000, as amended for a developer to engage with neighbours.

## 8.8. **Conservation, Architectural Heritage and Visual Impact**

8.8.1. The subject site is not protected nor within an ACA. The site is contiguous to lands which are zoned Z2 Residential Neighbourhood (Conservation Area). The appellant contends that the structure is in the early stages of being added to the record of protected structures. This was also raised in the summary of the third-party submissions to the Planning Authority. I note that the Planning Officers report does not refer to the contended status of the building and the applicant's response to the appeal also submits that they are not aware of this protection being sought.

8.8.2. I acknowledge the appellant in this regard however the statements with regard to the protected status of the building have not been substantiated with documents to demonstrate the claims. I confirm that I have not been able to identify any formal proposal that requests the property to be listed.

8.8.3. I do acknowledge that the lands are adjacent to lands within Zoning Objective Z2 where the general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area. However, there is limited works proposed to the external fabric of the building and the existing vehicular entrance and pedestrian entrances are not proposed to be altered as part of the subject proposal. In this regard I am satisfied that the character of the building would not be impacted to an unacceptable degree that would have a consequential impact upon the contiguous Z2 zoned lands.

8.8.4. I am satisfied that to permit the development would not undermine the architectural heritage of the area or be contrary to the Z2 Zoning Objective.

## 8.9. Traffic and Parking

8.9.1. Concerns have been raised in relation to traffic generation arising from the proposed use. A Traffic and Transport Impact Assessment prepared by Martin Peters Associates Consulting Engineers accompanies the application. I note the ambiguities raised by third parties in respect of the unit numbers, occupancy and staff. The assessment is based on a larger occupancy of 11 units and 30 occupants and therefore has been over assessed. As part of the response to the request for Further Information, the overall unit number has been reduced to eight with a maximum occupancy of 26 people. I would have more concern if the assessment was based on a lesser number of occupants.

8.9.2. Carparking and bicycle parking can be accommodated for on site.

8.9.3. At time of site visit, Ashdale Road did not appear to be a highly trafficked area which would be consistent with the findings of the TTA. Furthermore, I note that the assessment concludes that the proposed development would have a reduction in trips relative to the previous uses on the site. The Traffic and Transport Assessment considered the established uses on the site which included the creche, stated to accommodate c. 30-40 children and four residential apartments.

8.9.4. The TTA includes a section on Mobility Management Measures. I refer to Section 2.3 'Mobility Management and Travel Planning of the Dublin City Council Development Plan which highlights the importance of mobility management in the promotion of sustainability and being a proactive approach to influencing how people travel. 'Travel Information Packs' will be prepared for the residents which will include information on walking, cycling and public transport services in addition to the appointment of a Mobility Manager. The subject site is in a very accessible location to public transport and active travel links. Having regard to the intended occupants of the development I would submit that the provision of such information packs would be beneficial to residents who may not be familiar with the area and would highlight the accessibility of the site. By familiarising residents and staff of the mode share available would also seek to further reduce the trip generation arising from the proposed development. In

the event of a grant of permission, I recommend that a condition be included regarding the appointment of a Mobility Manager.

8.9.5. In terms of car parking, the subject site is situated within Parking Zone 2 of the Dublin City Development Plan. Section 4.0 'Car Parking' Standards sets out that the car parking standards shall be generally regarded as the maximum parking provision and that parking provision in excess of the maximum standards will only be permitted in exceptional circumstances.

8.9.6. The proposed development is that of a family hub, which I note there is no specific use class for. The Traffic and Transport Assessment considered the use being comparable to that of Sheltered Housing which I could agree with. In this regard the development of eight family hubs would generate a car parking requirement of 4 no. spaces. The site layout plan demonstrates the provision of 6 no. spaces which would be a reduction from the 8 no. spaces indicated on the existing site layout plan. While I acknowledge that the car parking standards for Zone 2 are 'maximums' and this provision would be in excess of the parking requirements for sheltered housing, I note that the accompanying policy to Table 2 of Appendix 5 sets out that for any land use not outlined in Table 2, the default parking rate will be calculated based on those of a comparable use and/or determined as part of a Transport and Traffic Assessment. Section 3.2 of the Traffic and Transport Statement concludes that six car parking spaces would be required for the proposed development. I acknowledge the concerns raised regarding the ambiguous figures set out within the TTA in relation to unit numbers and occupants however I am satisfied that the parking provision on site has been reduced and would accommodate for staffing.

8.9.7. Given the nature of the proposed use, I would submit that a residential apartment development on this site would likely have a larger demand for car parking provision.

8.9.8. The assessment concludes that the development would not have a negative impact upon the local road network. Having regard to the information contained within the Traffic and Transport Assessment which has been undertaken by suitably qualified professionals, I am satisfied that the development can be accommodated on the site without undue impact upon the local road network. As I have set out previously, the inclusion of a temporary condition would enable a revaluation of the development and

consideration of issues that may arise during the lifetime of the permission and could be subsequently addressed.

8.9.9. Concerns were raised in respect of the location of the proposed storage facility for refuse and that the placing of bins at the corner of Ashdale Road and Ashdale Gardens would present a significant hazard to pedestrians and traffic. I acknowledge the concerns raised and would submit that given the residential nature of the area, it would be common practice to present bins on the footpath for refuse collection on the designated collection day which may vary depending on the operator. In any event, given the likelihood that more bins would be associated with the subject development than a single dwelling, I would submit that this could be addressed as part of an Operational Waste Management Plan that could be agreed in writing with the Planning Authority, which would ensure the optimal placement of bins for collection.

#### **8.10. Other Matters**

8.10.1. It was submitted that the applications on the site have been confusing and lack detail with opposing information regarding the numbers of residents, staff and type of accommodation to be provided. I am satisfied that the plans and particulars accompanying the original application when reviewed with the statutory notices are clear and legible. I submit that the applicant has clarified the maximum occupancy as part of the response to the request for Further Information. I am satisfied there is no ambiguous information.

### **9.0 AA Screening**

9.1. I have considered the development seeking permission in light of the requirements of S177U the Planning and Development Act 2000 as amended. The subject site is not located within or adjacent to any European Site. The site is located c. 5.3km to the west of the Special Protection Area for South Dublin Bay and River Tolka Estuary (004024), c. 8.4km to the north of the Special Protection Area for Wicklow Mountains (004040), c.9.10km to the southwest of the Special Protection Area for North Bull Island (004006), c. 10.2km to the southwest of the candidate Special Protection Area for North Irish Sea (004236).

9.2. The subject site is located c. 5.3km to the west of the Special Area of Conservation for South Dublin Bay (000210), c. 8.4km to the northeast of the Special Area of

Conservation for Glenasmole Valley (001209) and c. 13km to the west of the Special Area of Conservation for Rockabill to Dalkey Island (003000).

9.3. The development is seeking permission consists of the

- (i) Removal of two sheds,
- (ii) Change of use and conversion of part two storey with attic level and over lower ground floor, former part residential and part creche/Montessori buildings to use as a family hub.
- (iii) The development will comprise of 10 no. family hub en-suite residential accommodation units (1 no. at lower ground floor, 4 no. at upper ground floor, 4 no. at first floor and 1 no. at attic level), to be accessed from the existing vehicular access from Ashdale Road and 2 no. existing pedestrian entrance gates along Ashdale Gardens.
- (iv) With communal and staff facilities including a managers office/staff room, a staff room, staff WC, a cleaners store, a community/meeting room, buggy store, residents storage room, communal kitchen, dining room/playroom, laundry facilities and a study room.
- (v) Permission is also sought for interior and external works, including the provision of a window for the en-suite bathroom at lower ground floor level, the provision of centrally located steps and hallway at lower ground floor, upper ground and first floor levels and minor internal works.
- (vi) Provision of covered cycle parking and Sheffield stand for 10 no. bicycle parking spaces, 6 no. car parking spaces (including for 1 no. accessible space and 2 no. EV Charging spaces), 2 no. natural play areas, a meditation garden, 2 no. bin stores and all associated engineering and landscaping works necessary to facilitate the proposed development.

9.4. Having considered the brownfield nature of the site, the nature, scale and location of the development seeking permission, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- Due to the distance of the site and intervening land uses from any SAC and SPA, no impacts/ effects are predicted in this regard.

- There are no identifiable hydrological/ecological connector pathways between the application and the SAC or SPA.

I conclude that on the basis of objective information, that the development seeking permission 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 (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## **10.0 Water Framework Directive**

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

## **11.0 Recommendation**

I recommend that permission be granted for the development subject to the following conditions.

## **12.0 Reasons and Considerations**

Having regard to , the nature of the development proposed together with the location of the site and the context of the surrounding area and the provisions of the Dublin City Council Development Plan 2022-2028, it is considered that the development by virtue

of the nature of the proposal, subject to compliance with the conditions below would accord with the Z1 Zoning Objective and would not give rise to an undue concentration of such uses or impact to the established residential amenities of the area. There would be no undue visual impact arising from the proposed development, and furthermore, it is not anticipated that the proposed use would cause excessive traffic or overspill parking within the area. In accordance with Section 15.13.9 of the Dublin City Development Plan 2022-2028, the inclusion of a condition providing for a temporary duration would enable a further assessment to be undertaken where issues have arisen during the operational period of the development.

### 13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 23<sup>rd</sup> day of October 2025, 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. This permission is for a limited period of three years from the date of this grant, following which the permission shall cease, the use hereby approved shall cease and the buildings shall return to their previous authorised use, unless a further permission has been granted prior to the expiry date.

Reason: In the interest of the proper planning and sustainable development of the area.

3. The family hub providing temporary /emergency residential accommodation (as specified in the lodged documentation) shall consist of eight (8) hubs and shall have a maximum occupancy of twenty six (26) people.

Reason: In the interest of clarity.

4. Unit 7(a) and 7(b) shall comprise one unit and shall be used jointly for the accommodation one family unit only.

Reason: In the interest of amenity.

5. Prior to the occupation of the family hub, the Mobility Management Measures contained within Section 6.0 of the Traffic and Transport Statement submitted to the Planning Authority on 6<sup>th</sup> August 2025 shall be implemented.

Reason: In the interest of the proper planning and sustainable development of the area.

6. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to use as a Family Hub providing temporary /emergency residential accommodation (as specified in the lodged documentation), unless otherwise authorised by a prior grant of planning permission.

Reason: To protect the amenities of property in the vicinity.

7. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, no advertising signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags or other projecting elements shall be displayed or erected on the building or within its curtilage, or attached to the glazing, unless otherwise authorised by a prior grant of planning permission.

Reason: To protect the visual amenities of the area.

8. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

9. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

10. The landscaping scheme shown on drawing 1001 'Landscape Proposals' as submitted to the Planning Authority on 6th August 2025 shall be carried out within the first planting season following commencement of the development works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of three (3) years from the completion of the development shall be replaced within the next planting season with others of similar size and species unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of residential and visual amenity.

11. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

12. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each family hub and remainder of the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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 [residential] amenities of property in the vicinity.

14. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during the construction works in the interests of orderly development.

15. The developer shall pay to the planning authority a financial contribution 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. 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 An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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.

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.”

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Carol Hurley  
Planning Inspector

3<sup>rd</sup> June 2026

## Form 1 - EIA Pre-Screening

### No EIAR Submitted

<b>Case Reference</b>	PL-500478-DS-25
<b>Proposed Development Summary</b>	<ul style="list-style-type: none"> <li>(i) Removal of two sheds,</li> <li>(ii) Change of use and conversion of part two storey with attic level and over lower ground floor, former part residential and part creche/Montessori buildings to use as a family hub.</li> <li>(iii) The development will comprise of 10 no. family hub en-suite residential accommodation units (1 no. at lower ground floor, 4 no. at upper ground floor, 4 no. at first floor and 1 no. at attic level), to be accessed from the existing vehicular access from Ashdale Road and 2 no. existing pedestrian entrance gates along Ashdale Gardens.</li> <li>(iv) With communal and staff facilities including a managers office/staff room, a staff room, staff WC, a cleaners store, a community/meeting room, buggy store, residents storage room, communal kitchen, dining room/playroom, laundry facilities and a study room.</li> <li>(v) Permission is also sought for interior and external works, including the provision of a window for the en-suite bathroom at lower ground floor level, the provision of centrally located steps and hallway at lower ground floor, upper ground and first floor levels and minor internal works.</li> <li>(vi) Provision of covered cycle parking and Sheffield stand for 10 no. bicycle parking spaces, 6 no. car parking spaces (including for 1 no. accessible space and 2 no. EV Charging spaces), 2 no. natural play areas, a meditation garden, 2 no. bin stores and all associated engineering and landscaping works necessary to facilitate the proposed development.</li> </ul>
<b>Development Address</b>	No. 1 Ashdale Gardens (D6W FC85) and Park House, Ashdale Road (D6W R270), Dublin 6W.
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means:	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.

<p>- The execution of construction works or of other installations or schemes,</p> <p>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</p>	
<p><b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b></p>	
<p><input type="checkbox"/> Yes, it is a Class specified in Part 1.</p> <p><b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b></p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p><b>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?</b></p>	
<p><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.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p>	<p>Class 10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p>

If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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<b>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)?</b>	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	

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

## 14.0 Appendix 2

### EIA Preliminary Examination

<b>Case Reference</b>	PL-500478-DS-25
<b>Proposed Development Summary</b>	<ul style="list-style-type: none"> <li>(i) Removal of two sheds,</li> <li>(ii) Change of use and conversion of part two storey with attic level and over lower ground floor, former part residential and part creche/Montessori buildings to use as a family hub.</li> <li>(iii) The development will comprise of 10 no. family hub en-suite residential accommodation units (1 no. at lower ground floor, 4 no. at upper ground floor, 4 no. at first floor and 1 no. at attic level), to be accessed from the existing vehicular access from Ashdale Road and 2 no. existing pedestrian entrance gates along Ashdale Gardens.</li> <li>(iv) With communal and staff facilities including a managers office/staff room, a staff room, staff WC, a cleaners store, a community/meeting room, buggy store, residents storage room, communal kitchen, dining room/playroom, laundry facilities and a study room.</li> <li>(v) Permission is also sought for interior and external works, including the provision of a window for the en-suite bathroom at lower ground floor level, the provision of centrally located steps and hallway at lower ground floor, upper ground and first floor levels and minor internal works.</li> <li>(vi) Provision of covered cycle parking and Sheffield stand for 10 no. bicycle parking spaces, 6 no. car parking spaces (including for 1 no. accessible space and 2 no. EV Charging spaces), 2 no. natural play areas, a meditation garden, 2 no. bin stores and all associated engineering and landscaping works necessary to facilitate the proposed development.</li> </ul>
<b>Development Address</b>	No. 1 Ashdale Gardens (D6W FC85) and Park House, Ashdale Road (D6WR270), Dublin 6W
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>	The urban site is serviced, and while its size is not exceptional, it is larger than that of the prevailing plot size in the area. A short-term construction phase would be required and the development would not require the use of substantial natural

<p>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>resources or give rise to significant risk of pollution or nuisance due to its scale.</p> <p>The development by virtue of its type and nature does not pose a risk of major accident and/or disaster or is vulnerable to climate change.</p> <p>The operation does not pose significant risks to human health.</p> <p>The size and scale of the proposed development would not be departure from the established character of the receiving environment.</p>
<p><b>Location of development</b></p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is situated in an urban area on a corner site addressing the street to the southeast and east.</p> <p>The site is not located within an Architectural Conservation Area or Conservation Area.</p> <p>The site does not contain any Protected Structures itself nor is it immediately adjacent to any protected structures.</p> <p>The site is not listed within the National Inventory of Architectural Heritage.</p> <p>The site is not immediately proximate to any archaeologically sensitive sites.</p> <p>It is submitted that the localised impacts would establish a change to the intensity of use of the site and character of the area but is not considered to be excessive and an undue departure.</p> <p>The development is removed from sensitive natural habitats, designated sites and landscapes of identified significance.</p>
<p><b>Types and characteristics of potential impacts</b></p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the nature of the proposed development on serviced lands, likely limited magnitude and spatial extent of effects and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in Section 171A of the Act.</p>
<p><b>Conclusion</b></p>	
<p><b>Likelihood of Significant Effects</b></p>	<p><b>Conclusion in respect of EIA</b></p>
<p><b>There is no real likelihood of significant effects on the environment.</b></p>	<p><b>EIA is not required.</b></p>

<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	
<p>There is a real likelihood of significant effects on the environment.</p>	

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

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)