

**Karen Byrne**

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**From:** Susan Cullen <SCullen@mhplanning.ie>  
**Sent:** Monday 26 May 2025 10:58  
**To:** Appeals2  
**Cc:** Ciaran Dineen  
**Subject:** ABP-322371-25  
**Attachments:** LTR\_250526\_Cherryinn\_The Cube\_Resp\_SRC.pdf

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Dear Sir or Madam,

We act on behalf of Cherryinn Limited in relation to The Cube Building, Monahan Rd, Ballintemple, Cork.

Please find attached our response to Cork City Council's referral to the Board which was circulated to us on April 28<sup>th</sup>, 2025.

Kind regards,

Sue Cullen

**Sue Cullen**

Director

**McCutcheon Halley**

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An Bord Pleanála  
64 Marlborough Street  
Dublin 1

26 May 2025

**Re: ABP-322371-25 (Cork City Ref. No. R91825)  
Temporary change of use of the basement, ground, first, second and third floors of the Cube building from office use to accommodate or support displaced persons or persons seeking international protection (Class 20F) at The Cube Building, Monahan Rd, Ballintemple, Cork, is exempted development**

Dear Sir or Madam,

We act on behalf of Cherryinn Limited in relation to The Cube Building, Monahan Rd, Ballintemple, Cork and wish to respond to Cork City Council's referral to the Board which was circulated to us on April 28<sup>th</sup>, 2025.

The declaration in accordance with Section 5 of the Planning and Development Act 2000 (as amended) was submitted to Cork City Council on XXXX and sought confirmation that the proposed development is exempted development on the basis that:

- The change of use of the basement, ground, first, second and third floors of the Cube building from office use to accommodate or support displaced persons or persons seeking international protection is exempted development as per the provisions of Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
- The associated works to facilitate the proposed use will affect only the interior of the structure and therefore come within the exempted development provisions of Section 4(1)(h) of the Planning and Development Act, 2000.

The proposed temporary change of use relates specifically to the basement, ground, first second and third floors of an existing office building. Not internal changes to the layout as basement level were proposed.

It is unclear why Cork City Council has referred this matter to the Board as their referral is a simple cover letter with the details we submitted on behalf of our client attached. There is no indication in the Council's assessment why they have determined to refer this declaration to the Board.

Given the temporary nature of the Class 20F exemption which only allows for a temporary change of use up to December 31<sup>st</sup>, 2028, we ask the Board to revert to our client as soon as possible to allow for this emergency accommodation to be provided without further delay.

Yours sincerely



Susan R. Cullen  
McCutcheon Halley