

File With _____

SECTION 131 FORM

Appeal NO: ABP - 322400-25

TO: SEO

Defer Re O/H

Having considered the contents of the submission ~~dated~~ received 26/05/25
from

Belaw and Darina Morgan recommend that section 131 of the Planning and Development Act, 2000
be not be invoked at this stage for the following reason(s): No new planning issues raised

E.O.: Laura Gandy Lawlor

Date: 29/05/25

To EO: _____

Section 131 not to be invoked at this stage.

Section 131 to be invoked – allow 2/4 weeks for reply.

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached
submission

to: _____

Allow 2/3/4 weeks – BP _____

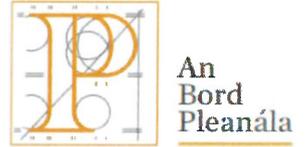
EO: _____

Date: _____

AA: _____

Date: _____

Validation Checklist



Lodgement Number : **LDG-080433-25**
Case Number: **ABP-322400-25**
Customer: **Brian and Darina Mangan**
Lodgement Date: **26/05/2025 14:22:00**
Validation Officer: **Laura Grady Lawlor**
PA Name: **Dublin City Council South**
PA Reg Ref: **0447/24**
Case Type: **Section 5 Referrals**
Lodgement Type: **Observation / Submission**

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

Observation - Referral

BPRL40 letter to Observer. Enclose receipt.

Please scan observation on to J-Drive

Please add Observer's name to file cover

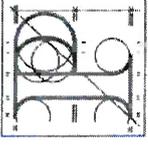
I.K.
29/05/2025

Run at: 29/05/2025 12:47

Run by: Laura Grady Lawlor

Lodgement Cover Sheet - LDG-080433-25

Observation



An Bord Pleanála

Details

ASP-322400-25

Lodgement Date	26/05/2025
Customer	Brian & Darina Mangan
Lodgement Channel	In Person
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-080433-25
Map ID	
Created By	Shirley Connolly
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Dublin City Council South
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Paid	50.00
Refund Amount	

Observation/Objection Allowed?	
Payment	PMT-063082-25
Related Payment Details Record	PD-062926-25

Observation

Id Observation: 26/05/25

23rd May, 2025

The Secretary
An Bord Pleanála,
64 Marlborough St,
Rotunda,
Dublin 1,
D01 V902

AN BORD PLEANÁLA	
LDG-	080433-25
ABP-	
26 MAY 2025	
Fee: €	50~
Type:	CASH
Time:	14:03
By:	MANG

Brian & Darina Mangan,
11 Ashdale Road,
Terenure, Dublin.
D6W RY2

Dear Sir / Madam,

Re: Section 5 Referral - Park House, Ashdale Road, Dublin, D6W R270
Dublin City Council Planning Reg. Ref. 0447/24
ABP Case Reference: RL29S. 322400

Description: 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.

We wish to make an Observation on Case Reference **RL29S. 322400, Section 5 Referral - Park House, Ashdale Road, Dublin, D6W R270.**

We wish to reiterate the decision made by Dublin City Council that the use of Park House to house homeless persons is not exempted development. We'd like to add our own observations in plain English listed in the four below points as follows:

1. Material changes of use and intensification

Park House, formerly a private residence / crèche, is intended to be used as a commercial hostel, or shared accommodation facility, to house transient, homeless persons in a mature, built-up, narrow residential, terraced street, where directly across the road from Park House is an established HSE residential facility at "Ashdale House", housing vulnerable adults. Notable observations to consider are:

- It's purely a commercial operation with no ties to the community;
- No management or servicing presence has been established;
- It will demand 24-hour usage;
- It will create social and safety concerns due to the nature and management of the facility;
- It will have a high transient occupancy;
- It will have a high density of occupants.

2. Loss of residential amenity and impact on the "Ashdale" community and neighbourhood

The proposed use will negatively affect the neighbouring amenity due to:

- Loss of residential character in a mature, established housing area;
- Diminishes the privacy and quiet enjoyment of neighbouring homes;
- Loss of a landmark building to a more community focused purpose such as a crèche or a nursing home – all of which are in short supply in Terenure.

- Increased noise, foot traffic, and vehicle movements potentially on a 24-hour basis;
- Lack of community integration due to transient nature of occupants.

3. It's not exempted development

In our opinion, the use in question falls outside the scope of exempted development under the Planning and Development Act 2000, because Park House is a private residence that's planned to be used commercially for a large-scale, hostel-style occupancy¹; and, hence, cannot be considered exempt, especially since large scale intensification is evident.

4. Planning precedent and the need for public consultation

Coolebridge Ltd. is a private landlord with no ties to the community. Their purpose for this residence is purely commercial providing as little transparency, consultancy or engagement with the community/local neighbourhood as possible. Their intention is to bypass proper planning assessment for the development of Park House since it will have substantial negative impact to the community, infrastructure and amenities of the area.

In this particular case, allowing such change under Section 5, undermines public transparency and community consultation. It circumvents the opportunity for consultancy with the residents, or to provide a proper planning assessment of its impact that, in turn, would set a damaging precedent and undermine the protections and initial purpose intended by the planning system when drawing up Section 5 of the Planning and Development Act 2000.

In summary, we wish to raise these serious concerns as observations that the intended use of Park House represents a material change of use from residential to commercial purposes, constituting intensification and, therefore, requiring planning permission.

We ask the Board to take our points in this Observation into consideration and uphold the decision of Dublin City Council to declare the development "**not exempt**" from planning in order to protect both the local environment, community and the people who live in it.

Yours sincerely,

Darina Mangan

Brian Mangan

Brian & Darina Mangan

¹ Source: Sherry Fitzgerald brochure from when it was sold in the late 1990s/early noughties. Park House is listed as: 278 sqm (3,000 sq.ft) and 1 Ashdale Gardens is listed as: 232 sqm (2,500 sq.ft) giving an approximate combined total of 510 sqm.