

File With

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SECTION 131 FORM

Appeal No

ABP— 322400-25

Defer Re O/H

Having considered the contents of the submission dated/received 26/05/25 from Margaret Brewin I 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

Section 131 not to be invoked at this stage.

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

Signed

Laura Geady Lawlor

EO

Date

05/06/25

Signed

[Empty box]

SEO/SAO

Date

[Empty box]

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

[Empty box]

Task No

[Empty box]

Allow 2/3/4 weeks

BP

Signed

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EO

Date

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Signed

[Empty box]

AA

Date

[Empty box]

Margaret Brennan,
7 Ashdale Road,
Terenure,
Dublin 6W
D6WK762

24th May 2025

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

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.

Dear Sir/Madam,

I wish to make an Observation on the following Case Reference;

RL29S. 322400, Section 5 Referral - Park House, Ashdale Road, Dublin, D6W R270.

I have paid the required fee of €50.00 uploaded through the ABP portal.

Yours Sincerely,

Margaret Brennan. Dip Arch B.Arch. SC. Architect

Question 1

Whether the use of Park House as a residential dwelling, constitutes exempted development or does not constitute exempt development?

I wish to support the decision made by Dublin City Council that the use of Park House to house homeless persons is not exempted development for the following reasons:

1.10 Park House Ashdale Road was continuously used as a Montessori Crèche for over 30 years,

From 1992 to 2023.

Manor Montessori School and Nursery closed in 2023 and the building has been vacant since.

The Applicant has stated that this building was used as Residential after the Crèche closed. This is not true and I can confirm that nobody has resided there since then and it is not a residential dwelling.

The Applicant has suggested there was a "period of dis-use" of the building as a Crèche and I can confirm this is not true as I have lived directly opposite the building since 2000.

Department Circular 33/2022 - Multi-Unit Developments and Fire Safety Local authorities must take note of Department circular 33/2022, which issued to all local authorities in September 2022, in relation to Multi-Unit Developments and Fire Safety.

I am very concerned about the lack of detail in all submissions relating to the accommodation. Subdivision of the property into units constitutes development and work which has Health and Safety implications.

2.30 Lack of clarity

The Association of Residents of Terenure and Ivana Bacik met the developers Coolebridge in January this year following the Submission of the Section 5.

Coolebridge informed them "that the end use plans are not confirmed until the process is complete".

The proposed use of the property is for family-centred accommodation for 7-30 people max. No major external changes planned; internal renovations for communal spaces and family units.

I contend that plans submitted don't show this and are insufficient in detail.

2.40 End User of building

James Geoghegan TD for Dublin Bay South contacted the residents by circular in March.

"I have clarified with Dublin Regional Homeless Executive (DRHE) that this is not a building they are exploring or considering as part of a building which would provide for homeless services. This was confirmed to me by the head of the DRHE."

I contend that the intention is not for Homeless Accommodation and instead it is for supported emergency accommodation for those seeking international protection.

I suggest that the density and accommodation will need to be determined in case there is an intensification of use.

Building Regulations should be applied to the correct and maximum number of occupants.

2.50 Intensification of Use

There are 12 bedrooms indicated on the drawings. There is no information on the room occupancy. Many of the large classrooms have been changed to use as bedrooms, there is no detail on the occupancy of these rooms.

I suggest that this lack of detail regarding room occupancy and the number of bed-spaces to be provided should be of great concern particularly for Building Control Regulations.

In fact the tenants in the residential section have been served unlawful tenancy terminations. They are being made homeless, after living in the building for over 10 years.

The development proposes to change their current accommodation from flats to bedrooms or units, thus intensifying their use.

The developer is making one group homeless, to accommodate many more for a greater profit.

2.60 Planning Status

I suggest that only a full Planning Application will ensure the proper development of this very important building in its location.

The applicable occupancy of this building needs to be determined. The Planning process will determine its applicable status; if it's a Hostel or Bed & Breakfast, or the "without-care, food delivery IPAS model".

Is the building being split into separate units, each have their own living space; or is it communal living which suggests hostel or hotel accommodation?

The end use will determine Health and Safety Fire and Part M compliance. All of the above uses need to be confirmed and then adhered to.

abandoned and the established use is a crèche/Montessori school, in which there is no exemption to change from this established use to a residential use.

b) The use of the residential building, where care is not provided, to house homeless persons, is development as a material change of use has occurred and is not exempted development as the change of use raises planning considerations that are materially different to planning considerations relating to the established use. I hope the Board supports their decision in order to ensure proper and sustainable development in my residential area.

Yours Sincerely

Margaret Brennan Architect

B. Arch. Dip. Arch Sc.