

Richard
Collins

Richard Collins
7, Ashdale Road,
Terenure,
Dublin, 6W
D6W K762

26th 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 / we wish to make an Observation on Case Reference **RL29S. 322400, Section 5 Referral - Park House, Ashdale Road, Dublin, D6W R270.**

Hughes Planning & Development Consultants (HPDC) request on behalf of Coolebridge Limited that An Bord Pleanála (ABP) review the Section 5 Declaration made by Dublin City Council (DCC) that the use of Park House, Ashdale Road, Dublin 6W, D6W R720 to house homeless persons does not constitute exempt development.

The question put before the planning authority was

"Whether the use of Park House, Ashdale Road, Dublin, 6W, D6WR270 as a residential dwelling constitutes exempt development or does not constitute exempt development?"

"Whether the use of a residential building, where care is not provided, to house homeless persons, constitutes exempt development or does not constitute exempt development?"

As part of this application Coolebridge were requested to provide Further Information.

- 1. The were requested to provide floorplans showing the extent of the proposed use as homeless accommodation within the building known as Park House.**

The applicants response was to provide some floor plans without internal or external dimensions or areas. There was no context, orientation or north points provided for the plans.

The text in the response called up five self contained units in the western side of the building.

Nothing on the plans highlight the western side of the building.

Five number apartments are called up on the existing plans, yet there were only four that have been currently in use.

The unit called Apartment 5 on the existing plans provided in the Further Information was included in the sale of the Creche Facility /Commercial Property through Bohan Hyland and can be seen in the plans provided on their website and sales brochure.

Apartment 5 in the western portion of the building was part of the established creche with the access to the second stair providing the sixth level of the creche with a fire escape. Photographs are provided in the sales brochure. This shows that the creche had also encroached upon the western residential portion.

12 proposed bedrooms are called up in the text, yet there are 14 called up on the drawings. Several of these are inner rooms with no escape other than through other rooms. Declaring the development exempt would allow the applicant to avoid scrutiny to planning legislation, fire regulations (Part B) and access regulations (Part M).

- 2. The applicant was requested to provide clarification on whether the entire building had been in use as a childcare facility or whether the western area of the building, which was previously in multiple occupancy residential use, is still in use. The applicant is requested to clarify which area is to be used for homeless persons.**

The applicant fails to illustrate where the childcare facility was and the portion of the development which is to be given over to homeless accommodation. Again, they revert to the eastern and western portions without addressing the council's request. This is probably because the building was not split into an eastern and western portion. Parts of the creche were incorporated into the residential western wing such as the unit in the western portion called up as Apartment 5. The western portion was not exclusively residential as stated.

The remaining tenants (four tenants in two units) in the building have been given notice to vacate. The Dublin Region Homeless Executive; DRHE does not support removing sitting tenants to replace them with homeless people in a private commercial facility.

- 3. The applicant is requested to submit a copy of the An Bord Pleanála Grant of a Temporary (five year) Permission for a childcare facility.**

The applicant supplies this permission. ABP No. PL29/5/87595 & DCC Reg. Ref. 2261/91

In the Second Schedule; Condition 1.0 the reason stated by the Board for the temporary submission was having regard to the nature and scale of the proposed development in a residential area and to allow the planning authority or Board on appeal to enable them

"to assess the impact of the proposed development in the light of the conditions then prevailing."

The creche operated for the five years. It continued to operate as a creche for the next seven years when the council could have issued enforcement action. They did not. The impact, nature and scale of the development did not need to be reassessed. The temporary permission was to allow the neighbouring residents a chance of reverting the permission should it impact them adversely. The creche continued to operate for the next thirty one years until 2023, thus establishing "a material change of use."

- 4. The applicant is requested to clarify whether it is a single dwelling, with residents sharing kitchen and dining facilities or a building which will be subdivided into a number of residential units**

Coolebridge propose to use at Park House as a dwelling house. They claim the facility will not provide care to the residents. Yet in a statement provided by Coolebridge to community representatives published in The Journal on May 14th 2025, they

“outlined that the company was founded in 2019 to provide “medium- to long-term residential support for vulnerable adults, families, and individuals experiencing marginalisation and homelessness”.

“All of our centres are staffed 24/7 by qualified professionals. Our team members are qualified in fields such as social science, family Support, and youth and community studies, ensuring residents receive care in a respectful, professional environment.”

Company defends record on asylum accommodation in response to Dublin 8 picket
The Journal, 14th May 2025

The facility being proposed is not a residence with homeless people sharing facilities. It is a hostel where they provide care. The number of bedroom units on the site will increase from the existing 4 to 14 in number as labelled on the drawings submitted. This could equate to a jump in bedspaces from 6 to 45. There is also the opportunity to convert rooms labelled communal into bedrooms at a future date. The scale of the facility demands management and care. The 475 sqm creche facility when combined with the existing apartment units brings the size of the single facility to approximately 700sqm.

We believe that this is an intensification of use. The HSE also run a residential facility directly across the road for vulnerable adults at No.5, Ashdale House, Ashdale Road. There is also a non HSE facility nearby in Merrick House on Eaton Road.

This facility will be a managed “hostel where care is provided”. It is not Open for Consideration as it is not a tourist Hostel. It is not an exempt development and will require a material change of use. The proposed development will be a facility that falls within the scope of care. This includes personal care and help with social needs.

“a homeless hostel wherein the approved housing body provides support to the residents. This support is stated to include, ‘supporting them to address any presenting challenges that may inhibit accessing private rental accommodation or transitioning to more permanent solutions’, as recorded in an email correspondence from Clare County Council dated 18th March, 2020, on file;

*(c) the provision of the support described above falls within the scope of “care” as defined at Article 5 of the Planning and Development Regulations 2001, as amended, namely ‘personal care, including help with ...social needs’;
Board Order, ABP-307064-20*

• ABP Ref. RL03.307064 Whether the change of use of Westbrook House from a commercial guesthouse to a homeless hostel run by an approved housing body at Westbrook House, Gort Road, Ennis, Co. Clare is development and is not exempted development.

(a) the change of use from residential use to a use for the provision of residential accommodation and care to people in need of care as defined under Class 9 (a) of Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, is a material change of use by reason of providing a different service to a different user group, and is, therefore, development,

*(b) the provision of the support described above falls within the scope of ‘care’ as defined at Article 5 of the Planning and Development Regulations, 2001, as amended, namely personal care including help with social needs,
Board Order, ABP-308540-20*

ABP Ref. 308540-20 – In February 2021 the Board decided that retention of change of use from residential dwelling to residential accommodation for homeless persons is development and is not exempted development.

The opposite side of the street is zoned A2, a residential conservation area. Hostels are neither Permissible or Open for Consideration.

Park House whilst being one of the most notable and oldest buildings on the street was not included in the ACA Zoning A2. We feel that this has been an oversight and that the building should be included as an integral part of the street's ACA status and as such this exemption would not apply.

Park House incorporates a five bay late Georgian residence with it's fanlight door, grand staircase and fine plasterwork. It is now in the initial 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).
Reference No. RPS Addition; 752. Park House, Ashdale Road, Terenure, Dublin 6W

There are significant works under way at the property. Health and Safety Notices (AF1 & AF) went up on the 8th of April but with a commencement date 24th of March 2025. Works have been ongoing since the middle of February.

Dublin City Council have also initiated an enforcement procedure for the unauthorised removal of a period granite entrance gate. **Ref. E 0228/25**

Whether the use on these lands is residential or not, this development is not an exempt development and requires a material change of use.

I ask the Board to take my 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 and the people who reside here.

Yours sincerely,

Richard Collins