

**Notification of intention to initiate Part 8 Application for,
Former Parish Centre, 12-14 Carman's Hall, Dublin 8**

The Dublin Region Homeless Executive (DRHE) is a shared service operation, operating under the aegis of Dublin City Council as the lead Authority in the Dublin Region in respect of the coordination of responses to homelessness. Dublin City Council's Housing & Community Department intends to commence a Part 8 Application for the continued use of 12-14 Carman's Hall, as emergency accommodation for persons experiencing homelessness, under Part 8 of the Planning & Development Regulations, 2001 (as amended).

Site Description

12-14 Carman's Hall is a two storey building located along Carman's Hall in Dublin 8. The site is bounded by Garden Lane to the west, the rear of Mews Garden Court development to the north and a vacant site to the east which is located at the junction of Francis Street and Carman's Hall.

The premises were formerly used as a Parish Centre and known as St. Nicholas of Myra, it is in the ownership of the Dublin Archdiocese.

Dublin City Development Plan 2016-2022

Land Use Zoning

Under the Dublin City Development Plan 2016-2022, the site is zoned Objective Z1; 'To protect, provide and improve residential amenities'.

Section 14.8.1 of the Development Plan states 'The vision for residential development in the city is one where a wide range of accommodation is available within sustainable communities where residents are within easy reach of services, open space and facilities, such as shops, education, leisure, community facilities and amenities, on foot and by public transport'.

Under Z1 zoning the following uses are permissible: Buildings for the health, safety and welfare of the public, community facility.

Open for consideration uses: Bed and breakfast, hostel, hotel.

Homeless accommodation in the form of either a building for health, safety and welfare of the public, or a hostel is permissible and open for consideration respectively in Z1 areas. As such, it is considered that the homeless shelter does not materially contravene the City Development Plan and is consistent with the zoning of the lands.

Other Designations

The site is located within the Thomas Street & Environs Architectural Conservation Area (ACA). Within the ACA document, Carman's Hall is acknowledged under 'Architectural Character' stating the building was 'designed by J.J. Robinson and R.C Keefe in the late 1930s with smooth rendered walls and curved lines typical of the International style of the early-mid 20th century'. The site also falls within The Liberties Local Area Plan area which provides for the regeneration of the general area.

Background

In 2016, Dublin City Council recorded (and continues to record) high levels of homelessness due to the unavailability of suitable accommodation in the Dublin region.

The high levels of rough sleepers on the streets indicated that the number of people in need of emergency accommodation was outstripping the available provision in place.

The lack of suitable accommodation to cater for persons experiencing homelessness in the Dublin area was considered a matter of priority by both the executive and elected members of Dublin City Council and to be of a level that was considered an emergency with immediate action required.

On the 28th October 2016, The Assistant Chief Executive at the time, Mr. Jim Keogan, made a decision to authorise a change of use and the refurbishment of St. Nicholas of Myra, Carman's Hall to provide emergency accommodation for persons experiencing homelessness.

The change of use was considered Exempted Development by the Deputy Chief Executive having regard to the provision of the Planning & Development Act 2000, s. 179(6)(b) which states inter alia development by a Local Authority is exempt if the development:-

"is necessary for dealing urgently with any situation which the Manager considers is an emergency situation calling for immediate action. "

Judicial Review

On 5th December 2016, the Applicants sought a judicial review to quash the decision and order of the Assistant Chief Executive (the respondent) dated 28th October 2016 permitting the refurbishment and change of use of Carman's Hall to provide accommodation for the homeless.

On the 16th December 2016, the shelter opened at Carman's Hall accommodating 65 persons. (Point of Clarification: while it was initially estimated that 65 persons would be accommodated at the facility it was decided by the DRHE in advance of the opening up that a maximum of 51 persons could be accommodated at the facility. (The facility actually opened on the 22nd December 2016).

On the 8th December 2017, the Court made an Order requiring Dublin City Council to apply the specific procedures for consideration of such development as set out in policy QH30 and Section 16.12 of the Dublin City Council Development Plan following the undertaking of a public consultation.

The relevant excerpt of the Dublin City Council Development Plan 2016-2022 is as follows:

Policy QH30	<p>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 the area. All such applications shall include:</p> <p>a map of all homeless services within a 500 metre radius of the application site a statement of the catchment area identifying whether the proposal is to serve local or regional demand a statement regarding management of the service/ facility</p>
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Section 16.12	<p>An over- concentration of institutional hostel accommodation, homeless accommodation and social support institutions can potentially undermine the sustainability of a neighbourhood and so there must be an appropriate balance in the further provision of new developments and/ or expansion of existing such uses in electoral wards which already accommodate a disproportionate quantum. Accordingly, there shall be an onus on all applicants to indicate that any proposal for homeless accommodation or support services will not result in an undue concentration of such uses, nor undermine the existing local economy, the resident community, the resident amenity, or the regeneration of the area. All such applications for such uses shall include the following:</p> <p style="padding-left: 40px;">A map of all homeless services within a 500 metre radius of the application site a statement of the catchment area identifying whether the proposal is to serve local or regional demand a statement regarding management of the service/ facility</p>
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Public Consultation Period

Arising from the Order of Mr Justice Binchy of the High Court on the 14 December 2017, Dublin City Council undertook a public consultation in relation to the change of use and the refurbishment of the former Parish Centre, 12-14 Carman's Hall, Dublin 8 for the provision of homeless accommodation

Following the public consultation, the City Planning Officer recommended in his report dated 20th April, 2018 that the use of Carman's Hall as emergency accommodation for persons experiencing homelessness is acceptable and in line with the policies of Dublin City Council and does not materially contravene the Dublin City Development Plan. By Order (S1888/2018) of the Assistant Chief Executive the change of use and refurbishment of the former Parish Centre, 12 – 14 Carman's Hall Dublin 8, was granted for a period of two years effective 30th April, 2018.

Proposal

As restrictions are gradually easing during the current Covid-19 Pandemic, The Dublin Region Homeless Executive under Dublin City Council's Housing and Community Department intend to commence a Part 8 application to extend the Order (S1888/2018) by a further 12 month period. This is to ensure the continued emergency accommodation of homeless persons during these unprecedented times. A site location map and drawings are attached for your reference.

The Part 8 Application will be available to view at the Planning Counter, Ground Floor, Civic Offices, Wood Quay, Dublin 8 by appointment only. To make an appointment, please email planning@dublincity.ie or phone 01 222 2149. To view the application and/or make an observation online please go to www.consultation.dublincity.ie

Submissions will only be accepted once the formal Part 8 application is lodged and validated by the Planning Registry Office and added to the planning weekly list.

Eileen Gleeson
Director, Dublin Region Homeless Executive