

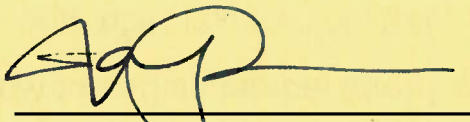
An
Coimisiún
Pleanála

Commission Direction
CD-001019
PL-501169-DR-26

The submissions on this file and the Inspector's report were considered at a meeting held on 05 August 2026.

The Commission decided to refuse permission generally in accordance with the following reasons and considerations.

Planning Commissioner:



Emer Maughan

Date:

11th day of August 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the details submitted on the nature and use of the proposed development, the Commission considered on the basis of the information submitted at application and appeal stages, that the proposed development for the change of use of Clontra House into a combined family house to facilitate

short term emergency accommodation for homeless families and individuals would result in a 'Residential Institution' use which is neither permitted in principle or open for consideration on lands zoned 'GB' as per Section 13.1.6 Zoning Objective 'GB' of the Dun Laoghaire Rathdown County Development Plan. The proposed development would therefore materially contravene the sites 'GB' zoning objectives to protect and enhance the open nature of lands between urban areas and the Dun Laoghaire Rathdown County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature and intensity of the proposed change of use, and the existing and established use of Clontra House, a designated Protected Structure RPS No 1811, which is assigned a 'National' importance rating in the National Inventory of Architectural Heritage, it is considered that it has not been demonstrated that the proposed development would not have a negative impact on Clontra House's architectural, artistic, historical, social and technical special interests, and would therefore be contrary to Policy Objective HER8; Works to a Protected Structure, Policy Objective HER9: Protected Structures Applications and Documentation, Policy HER10: Protected Structures and to Section 12.11.2.2 Change of Use of a Protected Structure of the Dun Laoghaire Rathdown County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission agreed with the Inspector and Planning Authority's description of the proposed use as 'Residential Institution' based on the description in the documentation submitted with the application and appeal which describes the proposal as shared homeless accommodation with care and meals provided

with a level of supervision and staff on site at all times. 'Residential Institution' uses are not indicated as 'Permitted in Principle' or 'Open for Consideration' as per Section 13.1.5 of the CDP, and therefore the proposed development would materially contravene the "GB" zoning objective of the Dun Laoghaire Rathdown County Development Plan 2022-2028. The Inspector considered that the Commission may grant permission by invoking the 37(2)(b)(ii) provision of the Planning and Development Act on the basis that there are conflicting objectives in the CDP. The Commission, however, did not share the Inspector's view that such conflicting objectives exist between the "GB" zoning objective and Policy Objective PHP32:Homeless Accommodation, as the achievement of the zoning objective to protect and enhance the open nature of lands between urban areas does not compromise or hinder the objective to support the provision of homeless accommodation and/or support services throughout the County or vice versa. The Commission considered that these objectives in the CDP are clearly stated and sufficiently specific, and in the absence of SPPRs in relation to the provision of Homeless Accommodation or changes to the pattern of development in the area since the making of the development plan, the Commission considered that a material contravention of the zoning objective could not be justified in this instance.

The proposal fails to provide a level of documentation commensurate with the 'National' importance rating assigned to Clontra House in the NIAH. In the absence of a detailed Conservation Plan outlining a long-term strategy for the use and maintenance of the buildings and features, glass house and landscaped grounds and a full photographic appraisal of the house, glasshouse, other buildings and features and of the surrounding grounds, the Commission is not satisfied that the intensification of use of Clontra House from its established

use as a single residential dwelling to a residential institutional use would not adversely impact the protected structure and its special interests, including the special interest of the interior vis-à-vis its plan form, hierarchy of spaces, architectural detail (including the Hungerford Pollen murals) fixtures, fittings and materials. The Commission noted the applicant's statement that no works are proposed which could impact adversely on the protected structure however, the applicant also indicates in the appeal stage details and drawings that works are required including fire doors and partitions, alarm systems, sanitary facilities, kitchen modifications and works to the former stables / outbuildings which would involve interventions within the historic fabric of the building, for which no detailed appraisal has been submitted.

Given the considerable cultural and historical significance distinguished by its exceptional quality and originality of its architectural design, the high level of craftsmanship and the richness of detail and artistry and the remarkable degree to which its historic fabric has survived intact, as acknowledged in the Conservation Plan submitted at appeal stage, the Commission does not concur with the Inspector's assertion that the works required to comply with building regulations and the Guidelines for Development of New Emergency Accommodation would be minimal or insignificant, in light of the significance of the protected structure, or that these works could be adequately regulated via conditions attached to a grant of permission.

The Commission noted the applicant's assertion that the requirement to obtain planning permission for a change of use from a residential dwelling to a homeless hub should be a 'technicality' as a Section 5 declaration issued previously by the planning authority for the overall property, for accommodating IPAS residents was deemed not to be development as no change of use arises. However,

as acknowledged by the applicant in the submission of a planning application seeking permission for a change of use, and given the permanent nature of the proposed change of use the Commission is satisfied that there is a clear distinction between the current application and the question referred under planning reference 14424.