



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3768/19

APPEAL by MKN Property Group care of Delph Architects and Planners of 13 Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin against the decision made on the 10th day of October, 2019 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Permission is sought to modify Block C, as permitted under Dublin City Council Reference 2038/18 and An Bord Pleanála Reference 302344-18, from a permitted four storey building (i.e. three storeys with a fourth storey setback) to a proposed five storey building (with the proposed fifth storey further setback from the permitted fourth storey below it), the effect of which will be the addition of five number apartments units consisting of one number on one bed apartment, one number two bed apartment and three number three bed apartments, bringing the total number of apartment units in Block C from 44 number permitted apartments to 49 number proposed apartments consisting of 18 number one bed apartments, 22 number two bed apartments and 9 number three bed apartments. Balconies are also proposed at the fifth floor setback on the northern, southern, western and eastern elevations. The proposed development also includes for all associated site development works on a site area measuring circa 787 square metres (0.078 hectare. The effect of the proposed development will result in a modification to an extant permission Reference

2038/18 (An Bord Pleanála Reference 302344-18). The proposed development is located within the curtilage of a Protected Structure, all at Verville Retreat, Vernon Avenue, Clontarf, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

The site is within the curtilage of Verville, which is an important Protected Structure in relation to which it is an objective of the Dublin City Development Plan 2016-2022 to ensure protection of the special interest of protected structures and to conserve and enhance protected structures and their curtilage. In particular, under policy CHC2 (d), it is required that development not cause harm to the curtilage and that the design, form, scale, proportions, siting and materials of new development should relate to the special character of the Protected Structure.

Having regard to the location and overall height of Block C and its detailed design, and in the light of the planning history of the subject development under construction, it is considered that the addition of a new storey over the permitted four storey Block C would be overbearing and by reason of its height and impact on the legibility of the previously approved residential block, would result in a development within the curtilage of Verville that would be overly dominant in views from the courtyard and from the main house and when compared with the permitted development which is under construction, would cause serious injury to the architectural character and setting of the Protected Structure such as to materially affect the Protected Structure. The proposed development would, therefore, contravene the relevant provisions of the Development Plan, and would be contrary to the proper planning and sustainable development of the area.

Philip Jones

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.