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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3040/20**

**APPEAL** by Melvin Properties Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 10<sup>th</sup> day of September, 2020 by Dublin City Council to refuse permission.

**Proposed Development:** Residential development consisting of (1) demolition of the existing one and two number storey buildings on site (circa 667 square metres); (2) construction of a residential development of 48 number apartments comprising, 21 number one bedroom apartments, 24 number two bedroom apartments (including three number duplex apartments), and three number three bedroom apartments (all apartments to have balcony or terrace), extending to an overall height of 15 number storeys (with setback south-east elevation at storeys 10 to 15 and setback storeys 14 and 15); (3) internal communal winter garden (circa 37.8 square metres) at roof level and communal co-working space (circa 37.6 square metres) and gym (42.6 square metres) at ground floor level; (4) an area of external landscaped communal open space (circa 175 square metres) to the rear and external landscaped open space (circa 130.3 square metres) at roof level; (5) basement with 102 number secure bicycle parking spaces and plant rooms; (6) a total of four number external car parking spaces (including one number disabled access

space) to the rear accessed via an undercroft vehicular entrance at York Road with bin storage, switch room and pedestrian access to York Road all at ground floor level; and (7) all associated site development and infrastructure works, hard and soft landscaping adjacent to the northern elevation, sedum roof, ESB substation (at ground floor level fronting onto York Road) and all other ancillary works, all on a circa 0.073 hectare site at 11, 11A and 12 York Road, Ringsend, 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**

Having regard to the Dublin City Development Plan, 2016-2022, according to which the site location comes within the Docklands Strategic Development Regeneration Area 16, in the area outside the designated Strategic Development Zone areas and, subject to the zoning objective Z1 “To protect, provide for and improve residential amenities.” The Board considered that the proposed development would be visually dominant, obtrusive, overbearing and incongruous and incompatible within the receiving riverside streetscape and would detract from and seriously injure the visual amenities and architectural character of the existing development especially the Pembroke Cottages within the area subject to the zoning objective Z2 “to protect and/or improve the amenities of residential conservation areas”. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Paul Hyde**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2021.**